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THE REPUBLIC OF SAN MARINO

THE Republic of San Marino, the oldest and smallest in the world, deserves on both these grounds the attention of Americans, to whom the following pages, the result of two visits to the miniature commonwealth of the Apennines and of considerable study of its history, may be of interest. Much has been written in French and Italian about San Marino,¹ and the documents of the republic have been carefully arranged by Professor Malagola of Bologna, in the archives beneath the new government building;² but with the exception of the late Mr. J. T. Bent's now almost obsolete *Freak of Freedom*, and of a translation from the French made by an American, who was created a citizen of San Marino, Mr. William Warren Tucker, there is no book in English about the sole surviving example of the Italian medieval republics.

The legendary origin of this tiny state is described in the *Acta Sanctorum*, the authors of which based their account on two manuscripts and three printed lives of the saint from whom San Marino derives its name. These accounts, even the earliest of which was written some centuries after the events recorded, are a mixture of fables and miracles, but perhaps contain some grains of fact. According to the most probable version, two friends, Marinus and Leo, natives of the Dalmatian island of Arbe, crossed the Adriatic soon after the middle of the fourth century of our era, and settled at Rimini on the Italian coast. At a distance of about fifteen miles rises the picturesque cliff, called Monte Titano either from the

¹ A very complete bibliography of books and articles about San Marino was published in 1899 by Baron L. de Montalbo, Duke A. Ostrando, and Count A. Galati di Riella, under the title of *Dizionario Bibliografico Iconografico della Repubblica di San Marino, contenente le Indicazioni delle Opere pubblicate in varie Lingue*.

² See his papers in the *Atti e Memorie della R. Diputazione di Storia Patria per le Province di Romagna*, 3^a serie, VI. 260-349; VIII. 196-284; IX. 111-147; and his *L'Archivio Governativo della Repubblica di San Marino*.

legendary conflicts of Titans there or from a certain Titanus, or Tritanus, a soldier of Pompey's army, whose name is said to have been found there on a tomb in the sixteenth century. To this mountain Marinus may well have repaired, for he was a stone-mason by trade, and the quarries of Monte Titano still form one of the chief industries of the natives. On one of these visits he recognized that this secluded spot was just the place for a pious anchorite, and decided to establish himself there. I was shown the bed, hewn out of the rock, where he is supposed to have slept, and the whole place is naturally full of legends about him. His reputation for piety soon spread, and the Bishop of Rimini invited him to return to that city, and made him a deacon for his services in combating the heresies of the time. But he soon grew weary of the world, and went back to his hermitage, where he built a chapel for the use of the faithful, who had gathered around him. A wealthy matron named Felicissima, to whom the mountain and neighboring lands belonged, was converted by him and made him a present of those possessions, so that when he died he was able to tell his followers: *relinquo vos liberos ab utroque homine*, a phrase which has been interpreted to mean that he left them free from both political and ecclesiastical jurisdiction. His remains, carried off by the Lombard king Astolphus to Pavia, but restored by Pepin, now lie in the principal church of the Republic, whither they were transferred in 1628. Two guardians of the precious relics, called *Massai*, are annually appointed, and every year the festival of the saintly founder is celebrated.

It is clear from this story, that the Commonwealth of San Marino originated from a religious community, and the first authentic allusion to it which has come down to us is that of a monk, named Eugippius,¹ who flourished in the fifth or sixth century, and said that he had read the life of another monk, "who had once lived in the monastery of Monte Titano." The next apparent mention of the spot is contained in the work of the pseudo-Anastasius, who includes among the places comprised in Pepin's donation to the Pope a certain *Castellum S. Marini* or *S. Mariani*, or *S. Martini* (for the readings vary). The statement was of some importance, because it was subsequently used as a proof of the alleged rights of the Holy See over the Republic. But, even supposing the donation of Pepin to be genuine, there was no "castle" of S. Marino in that monarch's time on Monte Titano, so that another place must have been meant. Moreover, local antiquaries cite the proceedings

¹ Melchiorre Delfico, *Memorie Storiche di San Marino*, I. 11. Hauteceur, *La République de San Marino*, 5, who quotes Canisius, *Antiquae Lectiones*, VI.

of a lawsuit between Deltone, bishop of Rimini, and Stephen, "priest and abbot" of S. Marino, in 885, to prove that the latter was living under a different legal system from that which prevailed at Rimini, and that therefore, not being governed by Roman law, San Marino could not have been included in Pepin's donation in 753.¹ The document, which has been preserved in the state archives, and is printed in full by Delfico, is known as the *placitum Feretranum*, because John, bishop of Montefeltro, was appointed to decide between the parties, and is the earliest which the Republic possesses. The next mention of the place is in a diploma of Berengarius II., King of the Lombards, who, fleeing before the victorious arms of the Emperor Otho, executed this document, *actum in plebe S. Marini*, in 951.²

The inhabitants, like those of other parts of Italy at that period, now began to fortify themselves by building the "castle," to which we have subsequent allusions in documents, and, as their numbers had increased, began, towards the end of the eleventh century, to extend their territory by purchase. Thus, they bought from the counts of Carpegna and the monastery of S. Gregorio the neighboring castle of Penna Rossa with its appurtenances, and the castle and property of Casole, while, much later, in the fourteenth century, the people of Busignano joined them for mutual protection. The *Borgo*, at the foot of the mountain on which the little capital stands, was founded, and a new form of government instituted. The original system seems to have consisted in an assembly of all heads of families known as *L'Arrengo*, which is still summoned at San Marino twice a year, but no longer retains the right of discussion. A new body, *Il Consiglio Generale*, which is mentioned in a document of 1253 as already existing, took the place of the *Arrengo*, and two officials were chosen from this Council every six months to preside over the Commonwealth. The first two of these "Consuls," as they were originally called, whose names have been preserved, were elected in 1224, and there is an almost complete list of them from that date. But in the statutes for 1295, the date at which Professor Malagola's collection of statutes begins,³ we find the names *capitaneus et defensor* substituted for those of *consules*. Towards the end of the fourteenth century, the terms of *capitanei seu rectores* are found, and now the two presidents are called *Capitani Reggenti*. The state thus organized received the name of *Libertas* for which that of

¹ Delfico, I. 15-19, and Fattori, *Ricordi Storici della Repubblica di S. Marino*, 14-15, collect the local opinions. For the text see Delfico, II. App.

² Muratori, *Rerum Italicarum Scripta*, I. pt. 2, p. 428.

³ But we have mention of a statute as early as 1253. Delfico, I. 41.

"Republic" was afterwards substituted. Such was the constitution of San Marino, when the conflict between Guelphs and Ghibellines devastated Italy in the thirteenth century. That the tiny republic should have escaped annexation by some of its neighbors seems almost miraculous, for it had numerous dangers to encounter from one or the other of them.

Its first risk was from the bishops of Montefeltro, its spiritual chiefs, one of whom, Ugolino by name, by inducing the Sammarinesi to espouse with him the Ghibelline cause, exposed them to the terrors of a papal interdict, which lay heavily upon their small state from 1247 to 1249, when they were released from it at Perugia. With the object of restoring peace to the rival factions in Romagna, Philip, archbishop of Ravenna, summoned a peace congress to the castle of San Marino in 1252, which however had no better result than an armistice for twenty days.¹

Ugolino, not content with his spiritual authority over the Republicans, clearly aimed at making himself master of a position so valuable as the castle of San Marino in those disturbed times. Thus, we find him participating in the purchase of some property which the Sammarinesi were anxious to acquire, in order to remove certain tolls levied by its owners upon all who visited an annual fair held in the neighborhood. His immediate successor followed his example in a similar transaction, and in 1278 expressed the "wish" that the Sammarinesi should alter a section in one of their statutes—a "wish" which they executed.² In a document of the previous year we find that the bishop had a residence in the strongest part of the city, and it was at San Marino that the famous Count Guido di Montefeltro, head of the Ghibellines in the Romagna, collected his partisans for an attempt on Rimini, at the invitation of a certain Messer Parcitade, chief of the same faction in that city. We are told that Parcitade, defeated by the Guelphs under Malatesta of Verucchio, fled to San Marino, where Guido greeted him with the sarcastic pun: *Ben venga, Messer Perdecittadi* ("Welcome, Mr. Losc-cities"). But that the state was not politically dependent upon the bishopric of Montefeltro is proved by two declarations of independence in the last decade of this thirteenth century. The former of them, dated 1291, arose out of a claim by the papal vicar of that district, who ordered the Sammarinesi to contribute towards the expenses of his office. The Sammarinesi refused, and the matter was submitted to the decision of a certain Palamede, judge at

¹ See the original document in Delfico, II. App.

² *De Voluntate Venerabilis Patris Domini Johannis . . . Episcopi Ferefrani*,—another allusion to statutes prior to 1295. Delfico, II. App.

Rimini, who came to Monte Titano, and decided in favor of its inhabitants on the ground that they were "free and exempt from any exterior suzerainty and rule whatsoever." A similar demand, made in 1296 by the "Podestà di Montefeltro," was referred by the natives to Pope Boniface VIII., who ordered an enquiry to be held. We have a long account of this enquiry, which was conducted on the spot by Ranieri, a neighboring abbot, and which forms a Great Charter of Sammarinese liberties. The witnesses, summoned before them, quoted Palamede's decision, and derived their liberties from Marinus himself. A Socratic dialogue ensued, the learned abbot trying to pose the simple mountaineers by pressing them for definitions of "liberty," to which they made excellent replies. But Uberto, bishop of Montefeltro, soon renewed these vexatious claims on San Marino, so that the inhabitants saw themselves compelled to take up arms in their own defence, first arresting some of his envoys on suspicion. They are mentioned as parties to the general pacification of the diocese, which was determined upon at the peace conference held at San Leo in 1300. But the next bishop, Benvenuto, adopted a more subtle line of attack. He asked permission at Rome in 1320 for the sale of the community, which he could not conquer, to the Malatesti, lords of Rimini. The contract was, however, never executed, and the Malatesti soon afterwards made peace with San Marino, although it had just lost its powerful friend, Frederico, count of Urbino, who was the victim of a popular tumult in the latter city. His relative, Speranza di Montefeltro, found a refuge among the Republicans, whose relations with the *Casa Feltria* had been as friendly as they were hostile with the bishops of Montefeltro. Yet, when their old enemy, Bishop Benvenuto, was an exile, they were so magnanimous as to receive him, too. His successor, for a pecuniary consideration, ceded to them all rights which he possessed, and the little land had a respite from troubles.

The citizens were now able to devote themselves to works of public utility. They built a hospital, and appointed a commission of experts to revise their statutes, the result of whose labors was published in 1353. But a new danger soon threatened this small community. Innocent VI., in his palace at Avignon, had resolved to restore the papal power in Italy, and despatched Cardinal Albornož to subdue the Italian cities over which he claimed dominion. Albornož, in the course of his career of conquest in the Romagna, found that the closest friendship existed between San Marino and the counts of Montefeltro, and in a treaty concluded with the latter, specially stipulated that the fortress of San Marino should remain under his own immediate control, until such time as the Malatesti

should submit to him. Delfico thinks that this article remained a dead letter,¹ as there are no traces of a foreign garrison on Monte Titano in the next few years; but Albornož made a demand for the payment of certain arrears due to the bishopric of Montefeltro, which was satisfactorily disposed of, thanks to the intervention of the ever-friendly counts. We hear, however, of fresh claims by the bishop of Montefeltro, which were not more successful than the others, and in 1368 that prelate visited San Marino, and protested that he claimed to exercise no temporal authority there. An even clearer proof of San Marino's independence is to be found in the account of the place and its government in the *Descriptio* of the province of Romagna, drawn up in 1371 by the successor of Albornož, Cardinal Anglicus Grimoaldi, and in one of the same cardinal's letters.² "They do not admit," he writes, "the power of the Church, nor anyone exercising jurisdiction in its name; they govern themselves, and administer their own justice in civil and criminal matters." But in 1375 a traitor, Giacomo Pelizzaro, acting at the instigation of the bishop and the *podestà* of Montefeltro, plotted to betray his country, and was executed by the two heads of the community. He was one of the few traitors in all the fifteen and a half centuries of San Marino's history. Nothing of much interest occurred during the next three decades. The fortifications were completed, and a forger was sentenced to death. Pope Gregory XII., by arriving at Rimini during the papal schism in 1408, caused the citizens some alarm lest they should embrace the losing side in that great dispute; but the Pope did not seek refuge, as at one time seemed probable, on the rocks of Monte Titano. Some years later the Malatesti accused them of having granted the famous *condottiere*, Braccio, a passage through their territory, and such was their alarm, that they temporarily suspended their constitution and appointed a dictator. And, when Braccio turned his arms against their benefactor, Guido, count of Urbino, they ran the risk of being attacked by him. So close did their relations with Urbino become, that the count granted them in 1440 exemption from all dues on any property which they possessed in his territory, and a letter is preserved in the archives in which he writes to them that, if he had "only a single crust of bread," he would share it with them.

The next period in the history of the republic was the most war-like which it has ever known. In this same year it took part in the war between Count Guido and Sigismondo Malatesta, with such success that at the peace of 1441 the latter was compelled to pay it an indemnity by remitting the taxes due to him by those Repub-

¹ I. 94.

² Text in Hautteœur, 69-71; Delfico, I. 103-104.

licans who had property in his territory. But on Guido's death, Sigismondo endeavored to surprise San Marino by a night attack, which was only averted by means of a timely warning sent to the inhabitants by Guido's successor, Oddo Antonio. A fresh attempt was made in 1449 to bribe some of the citizens, but on this occasion, as before, the plot was discovered, and the principal traitor executed. But the turn of the Republicans to take vengeance on Malatesta soon came. Alfonso of Aragon, King of Naples, who had a quarrel with him, had no difficulty in persuading them through his generalissimo, Frederico, the new count of Urbino, to join in war against the lord of Rimini. A cautious Sammarinese did, indeed, remind his fellow countrymen, much as Onofri reminded them in the time of Bonaparte, that "wars end but neighbors remain." But the offences of Malatesta rankled in their breasts, and in 1458 they signed a treaty of alliance with the King. Still, at the eleventh hour, they seem to have become alarmed, and endeavored to stand well with both parties. Their diplomacy and the operations of their allies were successful, and the Sammarinesi received the castle of Fiorentino, which had long threatened them, and which still forms part of their territory, though it has long been dismantled. Four years later the war was renewed at the instigation of Pope Pius II., who urged the faithful Republicans to attack Malatesta, and made them vague promises of territorial compensation, which they were too wary to believe without some more definite arrangement. The Pope accordingly sent a confidential envoy to make a definite agreement with the republic, which was concluded on September 21, 1462, and provided "that the hamlet of Fiorentino, with the castles of Montegiardino and Serravalle and their appurtenances," should be given to San Marino.¹

These places, together with the castle of Faetano, which had voluntarily joined it, were in 1463 actually added to the republic, as a reward for its vigorous part in the campaign, and are still integral parts of it. "These," says the local historian, Fattori, "are the last acquisitions which the government of San Marino made. From that time the republic has not grown by so much as an inch of land, and, content with its modest frontiers, has never sought to extend them."² The complete downfall of the Malatesti, as the result of this struggle, freed the Republicans from danger on the side of Rimini, and the rest of the fifteenth century was the golden age of San Marino. The Florentines wrote to their "dearest friends," the men of San Marino, and the latter were courageous enough to join in opposing by force Pope Paul II.'s design of an-

¹ Documents in Delfico, II. App.

² Fattori, 37.

nexing Rimini to the Papal States. Availing themselves of the peace which then reigned in the Romagna, the Sammarinesi made, in 1491, a second revision of their statutes, forbidding any citizen, on pain of death, to invoke foreign aid, or to alienate his property to foreign potentates, ordering that traitors should be drawn to execution at the tail of an ass, and annulling the ancient exception which forbade war against the Church. It seems probable that the style of "Republic" had been adopted early in this century, as we find it used as far back as 1448, but Fattori places between 1491 and 1505 the institution of the "Council of Twelve," a body still extant, two-thirds of which are annually elected from the "Council of Sixty," and which possesses certain judicial functions. To the fifteenth century, too, belong several notable natives of this miniature state, such as Giovanni Bertholdi di Serravalle, the theologian, and commentator on Dante, whose work has been published at the expense of the present Pope.

But the sixteenth century began badly for the Republicans. Caesar Borgia's career of conquest in the Romagna filled them with just alarm; and after the fall of the duchy of Urbino at his hands, they sent envoys to Venice, offering to obey the republic of San Marco, rather than the cruel son of Pope Alexander VI., and begging the Venetian government to send them a commissioner. The Venetians declined the overtures of the sister republic, which for a few months in 1503 was actually occupied by the officials of Caesar Borgia. At the first favorable moment, however, the Sammarinesi rose and drove out their tyrants; but the Republican village of Serravalle, which Caesar had released from its allegiance to San Marino, was not anxious to return to it. The Sammarinesi then joined in the Romagnole revolt against Caesar, and we find their commander, Giangi, writing to the *Capitani Reggenti* for a flag, so that he might conquer under the banner of the republic. The death of Alexander VI. and the fall of the Borgia family saved the little state from further danger from that quarter. But a new neighbor appeared on the scene in the shape of the Venetian republic, which had purchased Rimini from the Malatesti. Fortunately for San Marino, the new pope, Julius II., was uncle of Francesco Maria della Rovere, who, on the recent extinction of the house of Montefeltro, had become duke of Urbino, and was animated by friendly feelings for the republic of Monte Titano. Accordingly, the Sammarinesi turned to the Pope in their distress, and he wrote to them in 1509, assuring them that he had "resolved to omit nothing that could be of service for their defence and safety."¹

¹ His letter is in the archives, and is given by Delfico, II. App.

It has even been asserted by some writers, that the Pope was entertained at San Marino during his campaign against Venice.¹ At any rate, the Sammarinesi profited by his victory, and shortly afterward gave a double proof of their independence by refusing to give up to the duke of Urbino certain fugitives from Rimini, and by receiving the inhabitants of San Leo when they were driven out from that place by Lorenzo de' Medici. Under date of 1516, the archives contain a letter from Lorenzo, assuring the republic of his friendship and protection, which was confirmed by a document from Pope Leo X. During the disputes that raged around them at this period, the Sammarinesi preserved a wise and diplomatic neutrality which disarmed hostility.

In 1543 the republic nearly lost its liberty forever. On the night of June 4 a certain Fabiano da Monte attempted to surprise San Marino with a force of over 500 men. Fortunately, the two columns into which this force was divided arrived late at the rendezvous, so that day dawned before they could begin the attack. A great hubbub arose out of this affair; the duke of Urbino, Cosimo of Florence, and the envoys of the Emperor Charles V. in Italy, offered their aid to the little republic, and diligent efforts were made to discover the real authors of the plot. Fattori, who wrote an essay on this question,² inclined to the opinion that Pope Paul III. was at the bottom of it, his object being to convert San Marino into a principality for his son, Pier Luigi, and that a French agent, Strozzi, had arranged the plan of campaign. The salvation of the republic was piously attributed to its patron and founder, and from this epoch Marinus is represented (like San Biagio at Ragusa) as holding in his hands the territory of the commonwealth, while the fourth of June is still kept as a festival, in commemoration of the event. The Pope seems to have become convinced by the scandal caused by this attempt, that the liberties of San Marino were not to be infringed, for we find him writing six years later to threaten with condign punishment all who should transgress the rights of the republic. But in the same year in which he wrote, a new attempt was made on the place by Leonardo Pio, lord of the neighboring castle of Verrucchio; this plot was foiled by the intervention of the duke of Urbino, with whom the republic signed a treaty of defence. The text of this treaty is preserved in the archives, and is one of the most striking proofs of the secular friendship which existed between the rulers of Urbino and the com-

¹ Hauteceur, 105 n., alludes to this, but Gregorovius does not mention it.

² *Sul Tentativo di Fabiano da Monte San Salvino*, in the *Atti e Memorie della R. Deputazione di Storia Patria per le Province di Romagna*, 1889.

monwealth. In the following year, the town of San Marino was thoroughly fortified by one of its most distinguished citizens, Giambattista Belluzzi, author of a work on fortifications, and the present town walls are memorials of his skill. Encouraged by these evidences of their own strength and by the ducal protection, the Sammarinesi indignantly rejected the summons sent to their captains to appear before the papal throne to answer charges made against them by one of their fellow-citizens. We have already mentioned that the statutes forbade the appeal of a citizen to any foreign power, and, on the present occasion, the government of the republic not only punished the appellant, but firmly declined to admit any rights of jurisdiction outside of their own frontiers.

The latter half of the sixteenth century began, however, to mark a decline in the fortunes of the republic. The public spirit of the community became weaker, the administration of justice was defective, and the great famine of 1591 added a final blow to the sorely tried state. The members of the Council of Sixty neglected their duties to such an extent that a quorum was frequently lacking, and the delays in drawing up a new and much-wanted code of laws were so flagrant that, weary of waiting, the government gave binding force to a compilation, made by a learned Sammarinese, Camillo Bonelli, who, like the most eminent citizens of that period, sought for a wider field for his abilities abroad. There were able men, even in that dark age, who sprang from the soil of Monte Titano, but their talents were usually devoted to the service of other governments. Characteristically enough, as the republic declined in moral force, it added to the splendor of its titles. The Council of Sixty began at this time to style itself *Il Principe* and to describe itself as "most illustrious," and the custom of conferring the honorary citizenship upon foreigners, a custom still prevalent, was introduced. Thus in 1568 we find Antonio Cerri admitted as an honorary citizen, while literary merit was thus rewarded in the person of Zuccoli, author of a quaint dialogue on San Marino, called *Il Belluzzi*, or *Della Città Felice*; for, despite its decline, San Marino still seemed a "happy city" to outsiders in that distracted age.

The seventeenth century opened with the dark prospect that ere long the republic would lose its traditional allies by the death of Francesco Maria II. of Urbino without an heir and the consequent lapse of his duchy to the Holy See. The last duke did not, indeed, die till 1631, but before his death negotiations were made with Urban VIII., who took the republic under his protection, at the same time guaranteeing its liberty and respecting its jurisdiction. From this date San Marino was surrounded on all sides by papal

territory and a long period of peace ensued. But, though free from external dangers, the Republicans continued to be beset by the internal troubles to which allusion has already been made. The difficulty of obtaining a quorum now became so great that in 1652 the number of councillors was reduced from sixty to forty-five. Even at the present date, as Captain Gozi informed me in 1899, it is not easy to find suitable persons for all the offices out of a total population of about nine thousand. In the middle of the seventeenth century it was harder still, owing to the lack of education, which was remedied in 1691 by the foundation of the Belluzzi College. Two other evils are especially mentioned as causes of San Marino's decay, —the maladministration of justice, owing to the fear of giving offence to other members of so small a community, and the increased number of outlaws who had taken refuge there. The former was removed by the common practice of other Italian states, that of substituting for the two captains, in respect to their judicial functions, three foreign judges, elected for the term of three years, a system which still survives. A special law was passed in 1654 to prevent the abuse of the right of asylum, but was of short duration, and in our own days this has been the gravest danger to the independence of San Marino. The once austere republicans, too, became infected with the desire for titles, and in 1646 we find the first mention of a noble caste, which exists at the present time, when there are twenty noble families, and one captain must always be a noble. One noteworthy distinction of that century must not be forgotten, the publication of the first history of San Marino, by Matteo Valli, secretary of the republic.¹

The next noteworthy incident in the history of the state was the visit of Addison in the spring of 1701, to which Macaulay alludes in his essay on that eminent man. In his *Remarks on Several Parts of Italy*, Addison has left us some interesting observations on "the smallest independent state in Europe." "It may boast," he wrote, "at least of a nobler origin than that of Rome: the one having been at first an asylum for robbers and murderers, the other of persons eminent for piety and devotion," and he added that "nothing indeed can be a greater instance of the natural love that mankind has for liberty, and of their aversion to arbitrary government, than such a savage mountain covered with people, and the Campagna of Rome almost destitute of inhabitants."

The threat of a foreign occupation in the first half of the eighteenth century once more raised the long downcast spirit of repub-

¹ *Relazione dell' Origine e Governo della Repubblica di San Marino*. Padova, 1633; reprinted in 1733.

lican liberty on Monte Titano. Two Sammarinesi, in opposition for personal reasons with the government, started an agitation for the abolition of the law, passed in the previous century, for the restriction of the number of councillors to forty-five. They complained of the aristocratic tendencies of this Venetian oligarchy, and demanded the restoration of the ancient *Arrengo* of all heads of families, threatening to throw the councillors out of window if their demands were not granted. The two ring-leaders were arrested and put in prison, but their confederates appealed to the famous cardinal Alberoni, at that time legate of the Romagna, on the ground that one of the prisoners had been seized in a church, and that the other possessed a privilege from the holy house of Loreto which exempted him from any other jurisdiction. Alberoni was glad of an excuse for intervention; he wrote to Pope Clement XII., depicting San Marino as a nest of tyrants and miscreants, stating that some of its inhabitants desired annexation to the Papal States, and pointing out that if so strong a position were allowed to fall into the hands of a powerful prince it might be a source of danger to the Holy Father. At the same time, he arrested two leading Sammarinesi, who were on papal territory, and forbade the importation of provisions into the republic. The Pope replied that Alberoni was to go near the Republican frontier, and there await the petition of the majority and more intelligent part of the inhabitants for annexation; should they, however, not desire it, he was to return home and leave them in peace. Accordingly, on October 17, 1739, Alberoni occupied first Serravalle, and then the Borgo. Giangi, one of the captains, at once gave the order to close both of the gates of the city; but the appearance of a number of suspicious-looking countrymen and the persuasions of his colleague induced him to allow the cardinal to enter. Alberoni and the traitors in league with him introduced his soldiers, and in the evening the city was in their power, and the fortress besieged. One of the most intrepid Republicans cried aloud: *Viva la Repubblica*, as he was dragged off to prison. The cardinal raised the members of the council to sixty, naming fifteen new Councillors among his partisans, substituted a *Gonfaloniere* and two *Conservatori* for the two captains, and ordered the Councillors to meet in the principal church on the 25th, in order to take the oath to the Pope. On the appointed day the cardinal took his seat on the throne of the captains, and called upon the *Gonfaloniere* to take the oath first. He did so, but the heroic Giangi, whose turn it was next, refused to swear. "On the first of October,"¹ he said, "I swore fidelity to

¹ It is on October 1 and April 1 that the captains come into office.

my lawful prince, the Republic of San Marino ; this oath I now confirm, and thus I swear." The next two touched the book without a word, but the fifth, Giuseppe Onofri, said that, while he was ready to take the oath if the Pope absolutely insisted thereon, he would, if His Holiness left him the choice, swear to be ever faithful to San Marino. At these words, the church resounded with shouts of *Evviva la Repubblica*, and another local hero, pointing to the head of Marinus, exposed on the altar, cried aloud : " Long live San Marino ! Long live liberty ! " Alberoni, finding that his friends were in a minority, addressed an impassioned discourse to the people, telling them that he had come to free them from tyranny, not to deprive them of their freedom. His oration availed nothing, and the popular indignation became so threatening that he quitted the church, and ordered the pillage of the houses of the five leading " rebels. " This cowed the people in the church, and in the evening, overcome by hunger, they swore. A few days later, Alberoni withdrew, leaving a governor and a considerable force behind him. But the cardinal's triumph was of short duration. The Republicans laid their case before the Pope, and the French ambassador threatened the Holy Father with an ultimatum from Louis XV. in the event of his refusal to grant their request. Clement XII. sent Monsignor Enriquez to inquire on the spot into the condition of San Marino ; and, as the result of his investigations, on February 5, 1740, the Republic was formally restored, and the day is still kept as an annual festival. Alberoni had to content himself with publishing a *Manifesto Storico-politico-apologetico sulla Conquista del Titano*, to which Cardinal Corsini replied.¹

Eight years later, Benedict XIV. confirmed the independence of the Republic.

The attempt of Alberoni had an excellent effect on the Republicans. They restored the old Council of Sixty in its entirety, and forgot their private quarrels. They had no further difficulties to face until 1786, when the Legate of Ravenna blockaded them for six months, in consequence of their punishment of a certain lawyer who had appealed to Rome. Pope Pius VI. took their side, and gave orders for the cessation of the blockade. Four years later, Cardinal Chiaramonti saved the Republic by a timely warning from being seized by the Freemasons.

Then came the gravest crisis in the history of the state. In 1797 Bonaparte reached Pesaro, and it might have been imagined that the great conqueror would not spare San Marino. Asked

¹ The best work on Alberoni's occupation is Malagola's *Il Cardinale Alberoni e la Repubblica di San Marino*, published in 1889.

what he intended to do with it, he replied : *Conservons-la comme un échantillon de république*. He despatched Monge to San Marino to assure the government of "the fraternity and affection of the French Republic," and his envoy, in a high-flown speech, still preserved in the archives, offered them provisions, cannon and an extension of frontier. Fortunately, the Republicans had at that time as one of their captains Antonio Onofri, a descendant of the Onofri of Alberoni's day, and the wisest of all these peasant statesmen. Onofri politely declined in their name any territorial aggrandizement, and this refusal saved the republic after the fall of Napoleon. The latter, on Monge's return, wrote them an affable letter, in which he promised freedom from contributions to all their citizens in any part of the French Republic, and a few years later Onofri was able to obtain a treaty of commerce with the Cisalpine Republic. When in 1805 Napoleon assumed the iron crown at Milan, Onofri was received in audience by him with great affability. Eugène de Beauharnais and Murat treated San Marino with equal favor, and the only effect which the revolutionary wave had upon the republic was the abolition of the order of nobility in 1797; even this was restored three years later, so that the commonwealth emerged from the turmoil of the Napoleonic period intact. ■

All went well with San Marino until 1823, when a violent attack upon the state and its government was circulated in Rome with the same object which had animated Alberoni's libels. Leo XII., the new Pope, had never loved the republic, and it needed the good offices of various foreign diplomatists before Onofri could obtain an audience of the pontiff. At last Leo yielded, and wrote an affectionate letter to the captains, assuring them of his friendship and renewing the ancient conventions with them. Charles X. of France, Louis Philippe, Pius VIII., Metternich, and the Austrian emperor Ferdinand¹ all wrote amiable letters to the little republic, and Chateaubriand declared that, if he was "a monarchist in France," he was "a republican at San Marino." The disturbances of 1831 and 1845 in the Romagna led to the extension of the Commonwealth's traditional hospitality to some of the conspirators, but the most serious affair of this kind was the sudden arrival of Garibaldi at San Marino, when, after the fall of the Roman Republic of 1849, he was on his way with his wife, Ugo Bassi, and his devoted band of followers, from Rome to Ravenna. It was on July 31 of that year that he entered the gate, to the consternation of the captains, and informed them that, hard pressed by the Austrians, he had entered the Republican territory in order to have "bread and rest."

¹ Delfico, III. App.

He added: "Here we will lay down our arms; here shall cease the war of Italian independence." The senior captain replied that he had ordered rations to be prepared for the Garibaldians, and that he would intercede with the Austrian commander, the Archduke Ernst, on their behalf. The archduke would hear at first of nothing but an unconditional surrender, but subsequently contented himself with demanding Garibaldi's exile to America. To this the great leader would not agree; early in the morning he wrote to the captains a laconic letter, still treasured in the Sammarinese archives, saying: "The conditions imposed on me by the Austrians are unacceptable, and therefore we shall evacuate your territory." He then quitted San Marino, and, thanks to the aid of a Sammarinese, Nicola Zani, who was still alive when I was at San Marino in 1899, made his way through the Austrian lines. Those of his followers who had not gone with him but remained outside the city at first threatened to man the fortifications and hold the place against all comers. But the natives closed the gates and prepared to defend themselves. At last the Garibaldians all laid down their arms, and received from the captains passports and two *paoli* (1 s. 8 d.) each. The Austrians were then invited to take up their quarters in the Republican territory, and the archduke made his temporary abode in the house of Borghesi, the famous numismatist, who (like the historian, Delfico, at an earlier period) lived for years an honored citizen of San Marino. No one ever compensated the little republic for its expenses on the occasion of Garibaldi's visit, but the government was thankful to escape, even with some pecuniary loss, the danger of being placed between the Austrian hammer and the Garibaldian anvil.¹

Two years later, however, the Austrian and papal forces surrounded the Republican territory, and demanded the surrender of all foreigners who had taken refuge there. The government invited the Austrians to come and search for themselves, and they did so. Pius IX., unfavorably disposed to the Apennine Republic for the shelter it had given to the Roman Republicans, took further advantage of the assassination of the Secretary of State and two other persons to suggest a joint occupation by the papal and Tuscan forces. Napoleon III., however, put his veto on this proceeding, and sent an envoy to study the state of affairs and offer the protection, and, if

¹ See on this subject, Brizi, *Le Bande Garibaldine a S. Marino*; Modoni, *Sul Titano*; Franciosi, *Garibaldi e la Repubblica di S. Marino*; Simoncini, *G. Garibaldi e Ugo Bassi in San Marino* (by the keeper of the café, where they stayed); and the *Numero Unico*, published on the opening of the New Palace in 1894, which contains much curious matter. Also, *Pall Mall Gazette*, July 31, 1899.

need be, the sword of France to the republic, which declined armed assistance, but gratefully acknowledged the offer of the Emperor. After the creation of the Italian kingdom, he was the first to recognize the continued independence of San Marino. With Italy the republic concluded a commercial treaty in 1862, which has since been renewed every ten years. The Italian Government has a consul there, and the Republic has representatives in several Italian towns, as well as in Paris. In 1864, separate money of San Marino was minted, which has currency in Italy. It is almost all copper, but one of the rare silver pieces is in the collection of King Vittorio Emanuele III. Stamps have become a favorite source of revenue among the Republicans, as they are eagerly bought up by collectors, and the usual devices of changing the colors and surcharging the stamps have been adopted to increase the number of issues. From 1877, when the first stamps came out, till the present time, there have been about seventy postal issues in all, and the last plan was to publish separate stamps for internal use in San Marino's miniature territory! Another means of raising money, the sale of titles, has proved profitable since the creation of an equestrian order in 1859. Dukedoms, baronies and the like are cheap at San Marino, and it is sufficient to present a statue to the state, or even in some cases to write a book about it, in order to become a noble personage. A more dubious source of gain, a gaming-table, was declined in 1868, despite the offers of a company, and San Marino has no newspapers, no railway, and very light taxes.

Its good relations with Italy, largely due to the exertions of Cibrario, a satellite of Cavour, have continued with the single exception of a difficult crisis, which arose in 1874, owing to the old grievance, the abuse of the right of asylum. For three months a cordon surrounded San Marino, but at last it was removed. It was on this occasion that the Italian consulate was founded there. Since that date the chief events have been the inauguration of the new and splendid Government Palace in 1894, when the poet Carducci attended and eulogized the "perpetual liberty" of the state; the financial crisis of 1898, caused by an organized pillage of the National Bank by the cashier; and the extradition treaty between Great Britain and San Marino in 1899.¹ This was the first instance of official relations between the two countries; the British consul-general at Florence was appointed to represent Queen Victoria at San Marino, and in October 1900 a special mission, of which Mr. LeQueux, the novelist, formed part, visited the Republic for the final and formal completion of the treaty.

¹ *Times*, April 18, 1900.

Such are the main facts of San Marino's long history. The causes of its preservation during more than fifteen centuries are to be found in the protection which it obtained, first from the Montefeltro family, then from their successors in the duchy of Urbino, and then, after the extinction of that duchy, from the Popes. No doubt the tact of these peasant statesmen, and their shrewdness in declining offers of territory at the expense of their neighbors, was also of inestimable service to the state ; while the poverty of Monte Titano made it not worth plundering. So, alone of the Italian republics, San Marino still exists, "a pattern," as Napoleon I. said, of a medieval commonwealth, with all those aristocratic arrangements by which those oligarchies were governed. Like Andorra, she remains as an interesting survival, and, as such, will probably be allowed to live on uninjured.

WILLIAM MILLER.

THE RISINGS IN THE ENGLISH MONASTIC TOWNS IN 1327

IN comparing the municipal history of England with that of the Continent, during the Middle Ages, several important points of difference suggest themselves. One of these, and perhaps the most striking, is that in English towns as a general rule there were few such fierce party struggles as occur, for example, in the history of even the smallest German city. The democratic character of English municipal government prevented, save in rare instances, any oppression by powerful patricians, or the formation of bitterly hostile factions in the town. In addition, the royal prerogative in England was too potent and far-reaching to allow of any such disorders.¹ But the municipal history of England, nevertheless, is not altogether devoid of a series of factional conflicts. The history of one class of English towns is for over three centuries the history of long and bitter struggles, and violence and bloodshed fill their annals. The class of towns referred to is the monastic class, those under monastic control, and the struggles are those which were made by the townsmen to obtain liberties and franchises from their lords.

The status of the English monastic towns was a peculiar one. They were not full-fledged boroughs, according to the best authorities of to-day, nor can they be relegated, save in a few exceptional cases, to the rank of mere market-towns or manors.² Most of them were free boroughs by royal charter, but they were under the close and constant control of the abbot or prior of the monastery in their midst.³ The chief concern of the burgesses was to lessen this control, and to win for themselves the right of complete self-government, owing allegiance to the royal authority alone. Naturally enough, the monks withstood all such demands for greater

¹ Gross, *Gild Merchant*, I. 106, 285; Hegel, *Städte und Gilden*, p. 114. There are, it is true, a few examples of party strife in English towns, especially in the thirteenth and fourteenth centuries, for which see C. W. Colby, *The Growth of Oligarchy in English Towns*, in the *English Historical Review*, 1890.

² Stubbs, *Const. Hist.*, I. 407-409, 425-426; Pollock and Maitland, *History of English Law*, I. 641-642; Maitland, *Domesday Book and Beyond*, p. 217.

³ For pictures of life in a monastic town see: Carlyle, *Past and Present* (Abbot Sampson of Bury St. Edmunds); Froude, *Annals of an English Abbey* (St. Albans), in *Short Studies*; Green, *Abbot and Town in Studies in England and Italy*; and *Cornhill Magazine*, VI. 858.

liberty, and during the thirteenth century, and in the opening years of the fourteenth, there were serious conflicts between the antagonistic forces of monasticism and communalism.¹

It was, however, at the beginning of Edward III.'s reign that the crisis in the struggle came, and the year 1327 is marked by the number of risings which then took place. The political and social conditions in England during the latter part of Edward II.'s reign were deplorable, and the tendency to turmoil and rebellion was everywhere apparent throughout the realm. Especially was this the case in monastic towns and manors, and with the deposition of the weak king and the accession of his young son everything seemed favorable to an outbreak. The central power was weak and ineffective, and the whole country was in a state of lawlessness. It was not strange, therefore, that the burgesses in several of the most important monastic towns rose in open revolt, and seized the opportunity presented to throw off the yoke of their lords, and that they made a violent and long sustained effort towards liberty. In their struggle they were encouraged, no doubt, by the bold stand against the royal power made, at this time, by the citizens of London, emissaries from whom, in several cases, even came and invited the men of other towns to revolt against their lords.² So general, in fact, does the movement seem to have been, that one of the most reliable of the St. Albans chroniclers, in speaking of the troubles that took place there, informs us that the townsmen, in rising against the abbot and convent, were following the example of the communities of cities, boroughs and towns, which, acting with unbridled audacity, endeavored to extort charters and liberties from their lords.³ The contemporary evidence of widespread disorder and rebellions seems to warrant such a statement, for everywhere throughout England there were disturbances and risings, though it is only with several of the chief risings in the monastic towns that this article aims to deal.

One of the most violent outbreaks took place in the town of St. Albans in Hertfordshire. There had already been half a century of conflict there between abbey and town, and the burgesses were eager and ready for a fresh revolt of an even more violent nature than any of the preceding ones. The *inferiores*, or lower class of townsmen, banded themselves together by oath to resist the abbot,

¹ Mrs. J. R. Green, *Town Life in the Fifteenth Century*, II. Chap. 9; Thompson, *Essay on Municipal History*, pp. 20 ff.

² *Gesta Abbatum Sancti Albani*, R. S., II. 156.

³ "Quorum sequentes exemplum, civitatum, burgorum et villarum communitates, et irrefrenatam assumentes audaciam chartas et libertates . . . a dominis suis per vim et violentiam extorquere nitebantur." Walsingham, *Gesta Abbatum*, II. 156.

being encouraged in this by several of the Londoners sent to St. Albans for this purpose. The *maiores*, or better class of townsmen, pretended to be on the side of the abbot, yet, secretly, they encouraged and aided the malcontents. Just on the eve of the outbreak the Earl of Lancaster came to St. Albans with a powerful retinue. The *maiores*, afraid for the success of their plans, sent a deputation of twelve burgesses to the abbot begging him neither to mention the sworn league nor to make any complaint to the earl. They, on their part, promised to see to it that matters in dispute would proceed peaceably and by way of law. Relying on these assurances the abbot allowed the earl to depart without asking his aid against the rebelliously minded townsmen.¹

The next day saw the opening of hostilities on the part of the townsmen, and proved how fallacious the abbot's trust in their promises had been. A servant of the abbot being attacked and pursued by the mob, in the streets of the town, slew one of his adversaries and escaped. Thereupon the townsmen rose *en masse* to assert their liberties. They erected a scaffold in the market-place and attaching an axe to it by a chain, they declared that all who were unwilling to join them should be beheaded there.² On the morrow the same twelve townsmen, who had so earnestly besought the abbot not to call on the earl for assistance, came to him again, and, in the name of the community of St. Albans, they asked him to grant them certain rights and liberties contained in the petition which they presented. This petition consisted of seven articles, and the demands made show clearly what it was that the burgesses in most ecclesiastical towns struggled for so fiercely. The first article asked for a general restoration of charters and liberties, of which the townsmen believed themselves to have been deprived and for proof of which they appealed to the Domesday record. They wished to be "as free as any borough or burgesses." Then, in the articles following, they went on to ask for the restoration of certain specific rights which they declared that they had formerly enjoyed. They wished to be allowed to send two burgesses, elected by themselves, to represent them in Parliament; also to respond by twelve burgesses, without a commixture of outsiders, before the justices in eyre; to take the assize of bread and beer in the town through twelve of their own number; to have the right of common in lands, woods, waters, fish-ponds and other privileged places, as was contained in Domesday; to have hand-mills for grinding their corn, and to be indemnified for the losses they had sustained through being de-

¹ *Gesta Abbatum*, R. S., II. 156-157.

² *Ibid.*, "ut qui nollent consentire illorum molitionibus, ibidem capite plecterentur."

prived of them; and, finally, they demanded that the town-bailiff should make all executions in the town without being interfered with by the bailiff of the abbot's liberty or any other person.¹

The abbot would not immediately concede what the townsmen demanded, but requested a delay of four days in which to consider the matter. The townsmen were, however, so impatient that they would allow him but one day, and as soon as that had expired they appeared with the articles again and demanded an immediate answer. A verbal consent to the articles was all that they could extort from the abbot, and the deputies retired in great indignation. With a wise foresight the abbot had retained the services of two hundred armed men, as a garrison for the monastery. Then when the evening came and the townsmen attacked the abbey at one of the chief gates they were repulsed by the forces within. Then followed a ten days' siege; but the inmates being well supplied with water and provisions, and all attempts to assault being met and repulsed, the townsmen got little satisfaction. Finally a royal writ was procured to be issued to the sheriff of Hertfordshire bidding him, if necessary, to levy the *posse comitatus* and relieve the abbey and its inmates. The king's peace was to be proclaimed in the town, and all who afterwards resisted were to be arrested and imprisoned. The townsmen dared not resist the royal proclamation, and quietly dispersed to their homes. They still held to their purpose of obtaining borough liberties, however, and their sworn confederation was maintained, as in London and other towns.²

Legal measures were next resorted to by the townsmen to gain recognition of their liberties, and they engaged lawyers to urge, in the royal court, their grievances against the abbot, who for his part took similar action. It looked as if the matters in dispute would be peaceably settled by the royal justices. The townsmen evidently feared the outcome of such a suit, and arranged instead to have a conference, to settle the differences, held in St. Paul's Churchyard some weeks later. Such dilatory proceedings did not appeal to the rabble of St. Albans, however, and while negotiations were pending between the abbot and the better class of burgesses, a fresh outbreak occurred in the town. The abbey was attacked but the rioters were again repulsed, and one of their number captured and thrown into prison. In London, meanwhile, things

¹ The full text of this interesting petition from the burgesses can be seen in the *Gesta Abbatum S. Albani*, R. S., II. 157-158. These do not seem to have been excessive demands on the part of the townsmen, but they had never enjoyed them in the past, as they claimed to have done.

² *Gesta Abbatum*, II. 159-160, where the royal writs to the sheriff are given in full.

seemed to be going in favor of the townsmen. A writ was issued in their favor, in which the abbot and his bailiffs were blamed for depriving the burgesses of their liberties, contrary to Magna Charta,¹ and were forbidden to further molest them in the enjoyment of their rights.²

Another writ was issued to the Treasurer and Chamberlain directing them to inspect the Domesday Book to find whether or not the town of St. Albans should be a free borough and the men of the town free burgesses. The result of such an inspection showed clearly and conclusively that the town belonged to the abbey, for the forty-six burgesses mentioned therein all held from the abbot, and owned but half a hide collectively. This was a decided setback to the claims of the townsmen.³

The next step was the conference in St. Paul's Churchyard, where, after some discussion, twelve arbitrators were agreed on: knights, lawyers and men from the country around St. Albans. These undertook to consider the demands of the townsmen for greater liberties, and were aided in their deliberation by three nobles from the royal council. After long debate an indenture was drawn up by the arbitrators, which was more favorable to the townsmen than to the abbot, but the final composition was put off until later. The events up to this point had occupied the first three months of 1327 and now, on the sixth of March, the parties met in the Abbey Church at St. Albans to agree to a final composition. The abbot and convent solemnly produced the charter granted to them by Henry II., which confirmed them in possession of the town of St. Albans, with a market and every liberty which a borough ought to have.⁴ The word *burgus* in the charter roused the interest of all the townsmen present, and they immediately demanded to have the status of burgesses confirmed to them under the sign and seal of the convent. The monks hesitated and held back, and the matter was postponed for four days, so that it could be discussed before the royal council and the wiser heads of the realm at Westminster.⁵ At this important conference the abbot and convent were represented by three monks and a professor of civil law. After many disputes and

¹ Magna Charta, section 13: "Praeterea volumus et concedimus quod omnes aliae civitates, et burgi, et villae, et portus, habeant omnes libertates et liberas consuetudines suas."

² *Gesta Abbatum*, II. 161.

³ *Ibid.*, II. 162-163; for the entry in *Domesday Book* concerning St. Albans see *D. B.*, p. 132.

⁴ *Gesta Abbatum*, II. 164. This charter of Henry II.'s seems to have been the only one of importance possessed by the abbot and convent who, no doubt, relied largely on prescriptive right.

⁵ *Ibid.*, II. 165.

controversies, both parties consented to an indenture, or agreement, of the following nature. Twenty-four of the more faithful townsmen of St. Albans were to be chosen to make a perambulation of the town limits, and after considering and noting the ancient boundaries they were to report the result to the abbot and convent. These, on their part, agreed to confirm, by their common seal, such boundaries, having first given seisin of them, to the burgesses of the town.¹

The perambulation was accordingly made, and the indenture between the abbot and the burgesses drawn up. The royal assent and confirmation were given on April 19, the burgesses making fine of forty shillings,² and it only remained to get the abbot and convent to set their seal to the agreement. The burgesses brought to bear every possible pressure, but the monks delayed and were unwilling. A royal mandate came to them ordering them to confirm the agreement,³ yet they were bitterly opposed to any concession, and at a meeting in the church of St. Albans there was great opposition to sealing the document. Headed by their archdeacon the monks drew up a solemn protest against the conventual seal being used. It was in vain that the timid and terrified old abbot, Hugh of Everisdene, displayed the royal mandate. The monks, though greatly alarmed, still maintained their resolute attitude and left the chapter-house without yielding. It was only through the urgent entreaties of their abbot, and the imminent danger in which they were placed, that they at length gave in and allowed the convent seal to be used. A protest was, indeed, drawn up and recorded before two notaries public, which declared that this concession was made through fear of violence and not of their own free will.⁴

The indenture, thus won from the abbot and convent, and confirmed by the King, was a document of great importance to the burgesses of St. Albans. It set forth the metes and bounds of the borough in detail. St. Albans was henceforth to be a borough, without dispute; all tenements were to be burgage tenements; and all the inhabitants, their heirs and successors, were declared to be burgesses. Two burgesses were to be elected to represent the town in parliament, and twelve before the itinerant justices. The townsmen were, however, bound to appear at the abbot's hundred court, when summoned by writ, as formerly. The assize of bread and ale, and all articles having to do with the assize, were hence-

¹ *Gesta Abbatum*, II. 165.

² Pat. Roll. 1 Edw. III., II, m. 28; *Gesta Abbatum*, II. 170.

³ *Gesta Abbatum*, II. 174, where the royal letter is given in full.

⁴ *Gesta Abbatum*, II. 170-175. Both the seal of the convent and the seals of individual burgesses were attached to this document. St. Albans did not yet possess a corporate seal.

forth to be held and made by presentment of twelve burgesses. The bailiff of the town was to make executions within the town, and if he failed to do this, the bailiff of the hundred was to replace him temporarily. Certain of the provisions safeguarded the rights of the abbot and convent. No hand-mills were to be allowed, and the burgesses had still to bring their corn to be ground at the abbot's mill. Such services as these were to remain unchanged, and the abbot and convent could seize any hand-mills set up against their authority.¹

The townsmen of St. Albans, as the result of their agitation in 1327, had undoubtedly won a victory and successfully asserted their liberties. Had they been content with this it would have been well for them, but their good fortune proved too much for them and by pushing matters to extremes they prepared a way for the resumption of the abbot's authority in the town. The story of the reaction in favor of the monastic corporation can be briefly told. The burgesses soon began to abuse their newly won liberty. First of all they forced the abbot to grant them rights of common in Barnet wood, and then they proceeded to destroy many trees and hedges there. They invaded the abbot's warren and his fish-ponds, at pleasure; and in spite of the indenture, they set up some eighty hand-mills in the town.² Fortunately for the rapidly dwindling prosperity of the monastery Hugh de Everisdene, the aged abbot, died in the autumn of 1327, and a new and more energetic ruler succeeded him. This was the sagacious Richard de Wallingford, and under his wise and politic rule the burgesses were destined to lose all their lately acquired liberties. De Wallingford was economical and he reformed the monastery within and without, removing to distant cells of the abbey all monks who were favorably disposed towards the townsmen, or in any way connected with the town.³

The reaction did not take place immediately, and the encroachments on the abbot's rights continued. The townsmen refused to hold the view of frankpledge before the abbot's seneschal, or to act as jurors and present amercements, or to choose wardens for the assize of ale, but only for that of bread. The abbot, therefore, ordained that the view of frankpledge should be rigidly held by his sub-seneschal and bailiffs, and on the day that it was held four constables were appointed on behalf of the abbot for the four wards of

¹ The full text of the indenture and agreement is given in the *Gesta Abbatum*, II. 166-170; the *Lords Journals (Eng. Parl. Papers)*, LVI. 1105; *Eng. Parl. Papers*, 1826, IX. 9-10; Clutterbuck, *History of Hertfordshire*, I. 22 ff.

² *Gesta Abbatum*, II. 175-176.

³ *Ibid.*, II. 202; *Cal. Pat. Rolls*, 1327-1330, pp. 184, 191, 272, 364.

the town, and under each constable two capital pledges were to act. At the same time other regulations tending to consolidate the abbot's judicial power in the town were settled. He also showed his power by forcing several of the townsmen, who held from him by such service, to supply horses for his journey to the cell at Tynemouth.¹

The burgesses of St. Albans were, meanwhile, making the most of the liberties they had won. A common seal for the borough, of silver throughout, was procured. Representatives were sent to Parliament, and to pay their expenses, and to support their newly won liberties, heavy contributions had to be levied in the town. Such expense was cheerfully borne now that they were free from the abbot's control, however, and they were prepared to stoutly resist any claims to jurisdiction over them on the part of the ecclesiastics. On his part the abbot was secretly planning to reassert his authority, and after three years of quietness the opportunity came; the two parties were again in conflict, but this time the ecclesiastics emerged triumphant from the fray.

A disturbance, caused by the abbot's attempting to exert his spiritual authority over the townsmen, took place in the spring of 1331. Two lives were lost and the royal coroner took cognizance of the matter.² An inquisition was ordered at the request of the abbot, who preferred charges against the burgesses for the many wrongs he had suffered at their hands.³ The verdict was entirely in the abbot's favor and reviewed the whole cause of the trouble since 1326, showing how the townsmen had made a confederation against the abbot; how they had extorted money and lands from various persons friendly to the convent; and how they had committed many outrages and acts of violence.⁴ Sixty-nine of the chief burgesses being arrested, thirty of them were adjudged guilty and thrown into prison. From thence they were released, on promising to pay a fine to the abbot. Those burgesses who had set up hand-mills, contrary to the abbot's rights, were prosecuted,⁵ and altogether Abbot Richard made life unpleasant for his tenants. It was no wonder, therefore, that the burgesses became weary of the struggle, and resolved to submit and effect a reconciliation with the abbot on the best terms possible. These terms were hard ones for them to offer:—the indenture of liberties gained in 1327 was to be surrendered and destroyed; there were to be no more hand-mills set up in the town; a large sum of money was to be paid as an indem-

¹ *Gesta Abbatum*, II. 205-208.

² *Ibid.*, II. 216-219.

³ *Ibid.*, 221-222.

⁴ *Gesta Abbatum*, II. 229-233.

⁵ *Ibid.*, 233-236.

nity for expenses incurred by the abbot and convent; and, finally, the townsmen were to give surety for future good behavior, both on their own part and on the part of their successors.¹ The burgesses themselves drew up these conditions. The abbot did not immediately assent to them, and the consequence was that the next day the representatives of the townsmen came to him again and surrendered unconditionally.² Their submission was accepted by the abbot, and although they soon repented of their hasty act, he kept the upper hand, and the submission was made unanimous.³

After surrendering their liberties to the abbot, thirty of the chief men of the town went to the royal chancery and there on their own behalf, and on behalf of the rest of the townsmen, they delivered up the royal confirmation and grant of liberties that had been conceded to them in 1327, and prayed that it might be cancelled, and the enrolment of it in the chancery records be blotted out.⁴ Accordingly the keeper of the rolls destroyed the charter and cancelled the enrolment of it. The silver seal of the borough was also surrendered and destroyed—the fragments being handed over to the monks to go towards restoring a ruined shrine.⁵ All the hand-mills in the town were surrendered to the abbot, and he, in token of the restoration of good will, gave a feast to the chief men of the town.⁶

Thus ended one of the greatest and most prolonged of efforts towards gaining borough rights and privileges, that was ever made by any monastic town in England. Beginning in the year of tumult and rebellion, 1327, it had lasted for three years or more, and had finally ended, in 1332, in the total discomfiture of the popular party at St. Albans. After having gained almost everything they sought for, the burgesses found themselves, in the end, outmatched by their powerful opponents, and they were forced to resign their dearly bought liberties. The power of the abbot and the convent over the town was re-established more firmly than ever, and it was not until almost half a century later that the townsmen again ventured to rise in rebellion, in sympathy with the great agrarian revolt of 1381.

¹ *Gesta Abbatum*, II. 250-251.

² *Ibid.*, 251-254.

³ *Ibid.*, 254-255.

⁴ Close Roll, 6 Edw. III., m. 26d.

⁵ *Gesta Abbatum*, II. 260; Madox, *Firma Burgi*, p. 140. Madox, though he gives an account of the surrender of the charter, totally misunderstood the motive of such action, as he thinks the burgesses were seeking to free themselves from the abbot's control.

⁶ *Gesta Abbatum*, II. 260-261.

Turning now to the history of another great municipal uprising which took place in the year 1327, we find at Bury St. Edmunds, in Suffolk, that almost similar occurrences to those at St. Albans took place. During the half-century preceding this revolt there had been three violent but unsuccessful attempts on the part of the burgesses to win self-government, and to control the jurisdiction in the town.¹ Now once again in the beginning of the year 1327 a fresh, and even more serious, revolt took place. As at St. Albans agents sent from London encouraged the townsmen to revolt. A small number of malcontents assembled themselves together in a tavern in Bury St. Edmunds, in January 1327, and from thence sent out a summons for the rioters to assemble. There were soon three thousand disaffected tenants and villains, gathered from all sides, and the abbey precincts were invaded and plundered. The convent officials, and several of the monks, were seized and imprisoned, and the rioters took away all the treasures of the abbey, the charters, muniments and papal bulls. Their chief desire was to destroy the bonds held against some of them by the abbot, which amounted in many cases to large sums. Having accomplished this work of destruction they proceeded to the gild-hall and there deposed their alderman, who had been elected under the abbot's control, and chose in his stead his more resolute brother, John de Berton. The new alderman was neither presented to the abbot and convent for confirmation, nor sworn in by the abbot's seneschal or steward. The gate-keepers of the town, who had been appointed by the abbot, were in like manner deposed and replaced by others chosen by the rioters.²

For several days the disturbances in the town went on increasing, and lawlessness prevailed everywhere. To overawe those who still held aloof from them, and especially the country people, the revolted townsmen erected a block, with an axe attached to it, and declared, precisely as those at St. Albans had done, that anyone refusing to join with them was to be there decapitated.³

The abbot, who had been absent attending Parliament, hastened back to the town to do what he could to quell the disturbance. Hearing of his return, the rebellious townsmen came to him and demanded that he should sign a charter of liberties they had drawn up. They would take no refusal and, finally, the abbot was forced to give in, and the charter was signed. By it the burgesses

¹ *Memorials of St. Edmund's Abbey*, ed. Arnold, R. S., Vol. II., Introd., pp. xli-xliv.

² *Memorials*, II. 329, III. 38-40.

³ *Ibid.*, II. 329, III. 38-39.

obtained the right to a community, a common seal, a gild merchant, and an alderman who was henceforth to be elected independently of the abbot.¹

The charter in its entirety is an interesting and valuable record of those rights for which so many English towns under monastic control strove for so long and valiantly in the Middle Ages. In its thirty-five articles we can see the grievances of the burgesses redressed as they wished to have them redressed. Besides the great community privileges, already mentioned, the burgesses of Bury St. Edmunds were to control their own taxation, to have the custody of minors and orphans in the town, and the appointment of the gatekeepers. The markets were always to be held in the same place as formerly, offensive amercements were to be done away with and freedom of trade was to exist in the town. Various regulations as to the sale and inheritance of land are to be found in this charter, and some of its clauses protected the burgesses from several objectionable forms of legal procedure, such as trial by battle, which was always a *bête noire* to the medieval townsmen. Another curious and, in England at least, unique clause was that which provided the burgesses with a sanctuary post, in the market-place of the town, whither all evil-doers could flee for safety and protection.²

In this borough charter of Bury St. Edmunds one point comes out clearly, and that is that there was to be a close connection, if not absolute identity, between the community of burgesses and the gild merchant of the town. Further it was provided by this charter that all the franchises and customs enjoyed by the burgesses in the former time were to be continued to them forever. The abbot and convent were obliged in addition to sign a release from all actions and transgressions committed by the townsmen, and to enter into bonds, to the amount of five thousand pounds, to be paid if the charter was not speedily confirmed by the King. Such terms as these seemed preposterous to the abbot, who returned to London, nominally to urge the King to ratify the charter, in reality to lay his wrongs before the newly summoned Parliament.³

The nobles and prelates assembled at Westminster advised the abbot to regard the terms of the charter as invalid and void, and not to have it either enrolled or confirmed.⁴ Several of the townsmen had followed the abbot to London, thinking that he would perfect the

¹ *Memorials*, III. App. H.

² For this charter see App. H. of the *Memorials of St. Edmund's Abbey*, Vol. III., where it is given with a translation from the original Anglo-Norman.

³ *Memorials*, III. 333. The Parliament of Edw. III. was summoned to meet at Westminster, January 7, 1327.

⁴ *Memorials*, III. 333.

agreement there, but learning of his resolve to stand by his rights as lord of the town, they returned in all haste to Bury enraged at what they considered his treachery. Fresh scenes of violence were enacted in the town, and allured by promises of freedom and plunder the whole countryside joined the rioters, so that a multitude of twenty thousand were assembled in and around the town. They pillaged the abbey's stores and made free with the carts, provisions and everything else belonging to the monks. All the lower elements of the population, men ever hostile to the great ecclesiastical corporation, were aroused. Parish priests and friars, hating the regular clergy, joined and headed processions of rioters, and when the abbot sent an envoy to Rome, for protection against such attacks, they, also, sent two of their number. The abbot's messenger died on the way; those sent by the other party probably never visited Rome, but returned with clumsily forged bulls, purporting to be from the Pope, favoring the claims of the townspeople. So palpable, however, were these forgeries that the two clerks who bore them were held up to scorn and derision by their comrades.¹

In the midst of these tumults a special mandate from the King bade both parties, under penalty of forfeiture of all they could forfeit, not to assemble armed men and to cease from attacking each other. Instead each side was to send two deputies to the King at York, to treat of a settlement of the disputes betwixt the abbey and the town.² This mandate was issued May 14, 1327, and the day fixed for the meeting was the second week in June. To the royal commands no attention was paid, it seems, by the townsmen, for ten days later the King took the abbey into his protection, and appointed two custodians, with power to arrest and imprison all offenders. No officers of the abbey were, however, to be removed so long as they were obedient and submissive.³ Two additional custodians were appointed two months later, in July, and during the summer attempts at reconciliation and mediation were made.⁴ Proctors sent by the monks and by the townsmen appeared before the king and through them any further breach of the peace was prohibited. When, however, the King was called to the Scottish border with his army, in the autumn of 1327, the townsmen of Bury St. Edmunds, in spite of the royal commands and protection granted to the abbot, broke out in fresh revolt.⁵ They were summoned together by the

¹ *Memorials*, II. 333-340; *Cal. Pat. Rolls*, 1327-1330, 213-214.

² *Cal. Pat. Rolls*, 1327-1330, 151.

³ *Ibid.*, 106, 156.

⁴ *Ibid.*, 213-214.

⁵ *Memorials*, II. 337-338; *Cal. Pat. Rolls*, 1327-1330, 214.

ringing of bells, and soon a vast multitude of people, of whom many were outsiders, were gathered together. The townsmen organized a confederation and swore to resist the abbot to the end. Then the conventual buildings were attacked, and either burned or in great part destroyed. The monks, driven desperate by these outrages, armed their servants and retainers and stoutly defended the remaining buildings. Under guise of treating of peace, however, the rioters captured twenty-four of the monks. These they cast into prison and menaced with death. Meanwhile equally riotous proceedings took place in twenty-two of the manors belonging to the convent. Property belonging to the monks was everywhere destroyed and encroached on. No attention whatever was paid to a second mandate from the King commanding a cessation of hostilities. The losses which the abbot and convent suffered at this time were enormous and beyond computation.¹

But assistance was at hand. The abbot had at last succeeded in securing a royal precept to the sheriff of Norfolk to quell the insurrection.² Thirty cart-loads of those arrested for their connection with the troubles were sent to Norwich to be tried, and four royal justices sat on the bench there. Several of the ringleaders expiated their misdoings on the gallows and many others were outlawed. The townsmen as a body were mulcted for damages in the sum of £140,000, an almost incredible amount for that time, and their representatives had to appear before the royal council and disclaim for themselves and their heirs any right to a *communitas*.³

The troubles were not yet ended, however. The outlawed members of the community bore a grudge against the abbot, Thomas de Draughton, whom they held to have perjured himself. These desperate men seized the abbot in his manor-house; conveyed him secretly to London, where he was left for some little time, and then had him taken over to Brabant, where he was left in confinement for many months. It was discovered that he had been abducted and the perpetrators were solemnly excommunicated by the Archbishop of Canterbury. Finally, in 1329, the poor abbot was discovered and brought back after his long captivity.⁴

No less than eleven different commissions and writs were issued in connection with the troubles at Bury St. Edmunds,⁵ and it was

¹ *Memorials*, II. 337-394; *Cal. Pat. Rolls*, 1327-1330, 213-214.

² *Cal. Pat. Rolls*, 1327-1330, 213-214.

³ *Memorials*, II. App. A; III. 46-47. The *Cronica Buriensis* gives the damages awarded as being only £40,000, but this seems to be an error.

⁴ *Memorials*, II. 349-353. His abductors were certain of the townsmen, under the popular mayor, John de Berton, who had managed to break gaol.

⁵ *Cal. Pat. Rolls*, 1327-1330, pp. 193, 217-219, 411, 425.

not until five years after the first outbreak that everything was peaceably settled. By the *concordia*, or peace agreement, of the year 1331, a settlement was arrived at. The abbot, on promise by the townsmen of future good conduct and submission to his authority, by successive remissions excused the townsmen from all but a small part of the fine and damages. The extorted charter and other such grants were declared null and void. The townsmen again resigned all claim to a *communitas*. The treasures, documents and bonds taken from the abbey were largely restored to its possession and everything quieted down.¹

The burgesses of Bury St. Edmunds, like those of St. Albans, had failed completely to win for themselves either greater liberty or the right of self-government. A terrible lesson of obedience to their ecclesiastical lords had been taught them. The borough was still under the control of the abbot and was destined to remain so down to the time of the dissolution of monasteries. There were no further revolts that we know of, at Bury St. Edmunds, until the great rising of 1381.

The risings at St. Albans and Bury St. Edmunds have long been known to students of English history. They have, however, been regarded rather as isolated instances of local disaffection than as examples of a widespread movement of monastic towns towards emancipation from ecclesiastical control. A number of cases of other risings lead to the view that the movement was a somewhat general one at this particular time. Most noteworthy amongst these additional risings is that of the burgesses of Abingdon, a town in Berkshire, not far from Oxford, which, likewise, occurred in the early part of the year 1327.²

Abingdon from the earliest times had belonged to the monks, and the control of the abbot was absolute. He had even been able to assert his privileges against royalty, and until the year 1327 there seems to have been little or no trouble with the townsmen. In the spring of that year, however, a very serious outbreak against the abbot's control took place. The male population of Abingdon township met together at the tolling of the bell of St. Helen's church. They gathered in the church porch and churchyard and took counsel together concerning their grievances against the abbot, especially in the matter of the market and market stalls, the absolute right to which was claimed by the monks. The discontented

¹ *Memoria's*, III. 41-46.

² The account given of the troubles at Abingdon is based, mainly, upon that in Wood's *Historia et Antiquitates Universitatis Oxoniensis*, Oxford, 1792-1796, pp. 161-163, though additional material has been gathered from MSS. in the British Museum and Public Record Office.

townsmen resolved to take violent measures and to incite a rebellion in the town. The meeting dispersed with threats of violence towards the abbey and its inmates, but the monks had some friends in the town who warned them to be on their guard.¹

This first meeting seems to have been held on a Monday, about the middle of May, and another meeting was called for the Wednesday night following. The people again assembled at the church of St. Helen, the parish church of Abingdon, when the bell tolled the hour of midnight. It was a midnight meeting of conspirators to organize an attack on the abbey, rather than a public meeting of burgesses. Captains were appointed and armed bands organized. At daybreak the rioting began with an attack on the new gild or market hall, recently erected by the abbey authorities because, as the chronicler remarks, "the town and market were theirs." The new hall was set on fire and totally destroyed. The next place to be attacked was the little church of St. Nicholas, which lay close to the abbey's great gate. The church was set on fire, but the fire was extinguished and the rioters were dispersed from in front of the gates by armed men, engaged by the abbey for its defence, who sallied out. Two of the townsmen were slain and several others captured and thrown into prison, there to await trial before the royal justices, as malefactors. The courage of the attacking party was somewhat dampened and the monks given a breathing space. Of this they took advantage to issue a proclamation, in the king's name, offering pardon to such of the rioters as would submit and surrender. Many took advantage of this offer and were taken into custody by the monks. The mild and easy-tempered abbot, John de Canynge, who had just returned from his country residence, smoothed matters down and freed those who had been captured in the conflict.²

Many of the townsmen, however, wished for revenge on the monks for the death of their comrades, and, not feeling strong enough by themselves, they sent messengers to Oxford, five miles away, to call the townsmen there to aid them. No English town in the Middle Ages had a more riotous or unruly populace than Oxford. There had been frequent conflicts betwixt town and gown; now both were given an opportunity to unite against a powerful monastic corporation, owning large property near the city, and against which they no doubt had a common feeling of hostility. The invitation of the Abingdon malcontents was readily accepted

¹ Wood's *Historia*, p. 162; Brit. Mus. MS. 28666, p. 155; Egerton Collection (B. M.), 282, p. 20.

² Brit. Mus. MSS., 28666, p. 156; Egerton MSS., 282, p. 20.

and a vast multitude from Oxford, headed by their mayor and prominent burgesses and accompanied by many of the more turbulent scholars, marched to Abingdon. On the way thither they destroyed the manor of Northcote, belonging to the abbey, and having entered Abingdon laid siege to the conventual buildings.¹ One of the great abbey gates was set on fire, in spite of the valiant defence of those within, who rained showers of stones and arrows on the attackers. Meanwhile others of the invading force had laid siege to the hospital of St. John, but met with so stout a resistance that an entrance could not be effected. Finally, however, a way was forced through the church of St. Nicholas and the rioters entered the abbey precincts. The gaol was immediately broken open and all the prisoners set free. Then the outer and inner gates of the monastery were set on fire and free ingress given to the rabble to plunder and pillage the monastic buildings. The terrified monks took sanctuary in the chapel, but this proved unavailing for Edmund de la Becke, leader of the attack, boldly invaded the sacred precincts with his followers, wounded one of the older monks and dragged the others away and thrust them into prison. Other unfortunate brethren fled with their abbot across the river and several of these were drowned in their hurried efforts to escape their pursuers. The abbey buildings were robbed of everything of value that they contained. Vestments, books, jewels and all such movables were taken away and much damage was wantonly done to the buildings. The treasury was emptied, and deeds and charters burnt and destroyed. Even the horses and cattle belonging to the monks were driven away.²

The day following the rioters held a meeting in Bagley Wood, between Abingdon and Oxford, at which three thousand were present. Messengers were dispatched to the prior and such monks as still remained in the convent. In fear and trembling the ecclesiastics came before the threatening assembly, which demanded certain concessions from them as representing the abbot and convent. The men of Abingdon were to have a provost and bailiffs of their own, who should be annually elected and have custody of the town. The abbot and convent were to abandon all rights they might claim to possess in Abingdon by royal charter, and they were to forego any action for damages, injuries and obligations that might ensue from the attack on the abbey by the rioters. These, with other less

¹ Egerton MS. 282, p. 21, which says: "Afterwards entering the town, they made such horrid noises that the unusualness of it even frightened those who had invited them thither."

² Brit. Mus. MS. 28666, p. 156; Egerton 282, p. 20; *Cal. Pat. Rolls*, 1327-1330, p. 288.

important demands, were incorporated in a charter and the prior and brethren were threatened with death to themselves, and the total destruction of the monastery, unless they assented in the name of the convent to this document. Under the circumstances little choice was left to them save compliance and the day following they took a solemn oath before a notary, to observe the articles of the charter. The abbey seal, which had been seized by the leaders of the rabble, was produced and the prior was forced to seal the charter with it. In addition bonds were exacted to the amount of £3000 that no one would be molested, vexed, or called in question for being concerned in these proceedings against the monastery.¹

Meanwhile tumult and disorder reigned in the town of Abingdon. The market rights of the abbot were freely encroached on; his portmoot court was interfered with, so that it could not be held; and his bailiffs, servants and officials of the abbey were attacked and beaten by the townsmen.² The troubles continued for over a fortnight, until, at the instance of the prior, the Bishop of St. David's visited the place and sought to restore peace and order.³ The abbot himself, who had fled on the occasion of the attack, made a successful appeal for royal protection. A commission consisting of four royal justices was directed to hear and determine the complaints and charges of the abbot against the men of Abingdon and Oxford.⁴ A writ was also issued to the sheriff of Oxford and Berks to cause proclamation to be made, prohibiting any one under pain of forfeiture, from invading by armed force the abbey of Abingdon, of the King's patronage, or any of its manors, or from attempting anything to the breach of the King's peace, or from inflicting damage or annoyance upon the abbot and monks in their persons or goods. Anyone doing any of these things was to be arrested, and if necessary the sheriff was to levy the *posse comitatus* to quell the revolt, and all malefactors taken were to be kept in prison until further notice. Finally, the King was to be notified concerning the proceedings, for he had learnt that the abbey was wasted and impoverished by the incursions of evil-doers and disturbers of the peace, and many of the monks driven away. Accordingly the abbey was to be under royal protection, together with its inmates, their lands and persons, and the sheriff was to exercise protection over them. A similar mandate was directed to the *conservatores pacis*,

¹ *Cal. Pat. Rolls*, 1327-1330, pp. 22-23; Brit. Mus. MS. 28666, p. 156; Egerton MS. 281, p. 21.

² *Cal. Pat. Rolls*, 1327-1330, pp. 288-289.

³ Brit. Mus. MS. 28666, p. 159.

⁴ *Cal. Pat. Rolls*, 1327-1330, May 24, 1327.

or guardians of the peace, in the county of Berks, and these measures proved efficacious in subduing the revolt.¹

The next Sunday Abbot John de Canynge returned to his monastery with a bodyguard of gentlemen and archers. Many of the chief rioters fled from the town, others concealed themselves from justice; several of the latter were captured, however, and confined in Wallingford Castle. Later on they were tried before the royal justices and twelve of them were hanged. An even larger number would have suffered capital punishment had it not been for the mediation of the abbot, who interceded successfully on behalf of sixty of the culprits.² The losses which the abbey had sustained were very large, being estimated at over ten thousand pounds. So heavily crippled, indeed, was the great monastic corporation that in January 1328 the King, at the abbot's request, appointed two custodians to guard its revenues and interests.³ Certain of the stolen valuables, along with deeds and charters were recovered by the abbot, but much of irreparable value was completely lost.

The processes and commissions in connection with the troubles at Abingdon in 1327 are very numerous. They extend into the year 1330 and include indictments against the men of Oxford as well as those of Abingdon.⁴ Large numbers of the former were successively apprehended and tried, with the result that in many cases they were hanged for the part they had taken. Hundreds of offenders were condemned to death, fine, or imprisonment during the three years that followed the rising, and in the case of some of the chief offenders the proceedings dragged on several years longer on account of sentences of outlawry.⁵ The townsmen had to surrender their charter of liberties and privileges, extorted from the prior and monks, and go back to their former state of dependence on the abbot and convent, and also make good the losses sustained by the abbey. To this end they were prosecuted by Abbot Robert de Garford, who succeeded John de Canynge in December, 1328, and was a man of much sterner temper and disposition, and of greater decision and force than his predecessor had been.⁶ This

¹ For these writs see: *Cal. Pat. Rolls*, 1327-1330, p. 125; *Cal. Close Rolls*, 1327-1330, pp. 201, 203.

² Brit. Mus. MS. 28666, p. 160; *Placita Coram Rege*, 1 Edw. III., Hilary term, roll 271, m. lviii. (Record Office).

³ *Cal. Pat. Rolls*, 1327-1330, p. 202; there is also a curious petition of the abbot and convent to the king, asking for the patronage of a church on account of their losses, in *Ancient Petitions* (Record Office), file 30, No. 1467.

⁴ Dugdale, *Monasticon*, I. 509; *Cal. Pat. Rolls*, 1327-1330, gives abstracts of these commissions.

⁵ *Cal. Pat. Rolls*, 1327-1330, pp. 458, 475.

⁶ Brit. Mus. MS. 28666, pp. 163 and 164.

abbot regained complete ascendancy over the town. The monastery, the hospital of St. John, the church of St. Nicholas and all other vulnerable points were fortified by royal license,¹ and, though conflicts occurred later between abbey and town, Abingdon remained, down to reformation times, a monastic town under the absolute control of abbot and convent.

The risings at St. Albans, Bury St. Edmunds, and Abingdon were the three great outbreaks of which we have detailed accounts. Other risings, however, occurred throughout England of which we have merely a passing mention but which, perhaps, were serious at the time. For example there is a royal letter to the sheriff of Bedford to take and put in prison certain armed men and malefactors who lie in wait for the prior of Dunstable. A century earlier Dunstable had been the scene of a serious conflict betwixt the monks and the townsmen, and no doubt the abbot's tenants took the opportunity in 1327 to again make trouble.² At Faversham, in Kent, and at Winchelsea, in Sussex, there are said to have been similar outbreaks on the part of the populace against ecclesiastical control and jurisdiction.³ The similarity of these movements, all occurring in the year 1327, seems to indicate clearly that there existed a wide-spread desire on the part of the burgesses, living under monastic control, to throw off the jurisdiction of their ecclesiastical lords at this particular time. No definite alliance, no inter-communal league, was formed between them. It was simply that the time was favorable for insurrection, and that the townsmen in many of these places were ready and eager to revolt at the first opportunity. Accordingly the year 1327 is remarkable in the annals of English municipal history for the number of risings that took place in the monastic towns. That these risings were without exception unsuccessful, has, I trust, been clearly shown. The punishment meted out to the rebellious burgesses was always severe; so severe, indeed, that no further troubles of importance are known to have occurred in monastic towns until the great revolt of 1381.

In some respects the outbreaks which occurred in England, in 1327, are similar to the risings against the control of ecclesiastical lords that took place in the communes of Northern France, and in the German episcopal cities, in the eleventh and twelfth centuries.

¹ *Cal. Pat. Rolls*, 1327-1330, p. 547.

² *Cal. Pat. Rolls*, 1327-1330, pp. 232-233; for the earlier conflict see *Annales Monastici*, R. S., III. 105-124, or the article on the history of the conflict in the *Cornhill Magazine*, VI. 835 ff.

³ *Brit. Mus. MS.* 28666, p. 164.

But the English monastic towns did not hold the important place in the national life of England held by the large and populous *Bischofsstädte* of the Continent. For while there the ecclesiastical towns led the others, in the struggle for liberty, the same class of towns in England were backward in obtaining privileges and immunities, being far outstripped in this, as in all other respects, by the royal boroughs. It was not until the second half of the thirteenth century that any general movement towards an assertion of their liberties is observable in the English monastic towns. The year 1327 marked the culmination of a period of secret discontent and conspiracy on the part of the townsmen under monastic control.

It is, however, by comparing the struggle in England with that of an earlier date on the Continent that we can best understand how it was that the struggle in the English monastic towns proved so fruitless. The Continental towns were, as has been remarked, much larger and of relatively greater importance than those of the same nature in England, and, consequently, the populace were superior in number, organization and influence. A long tradition of continuous municipal development and civic stability enabled them to offer a solidier opposition to their over-lord and to exert a greater influence on the politics of the day. Then too, the struggle on the Continent was generally one between the bishop by himself against the mass of townsmen by themselves. Royalty did not interfere, save in exceptional instances, and in fact rather favored the development of the municipal power as weakening and undermining the feudal. Then in France and Germany the townsmen had everything in their favor, and several other political factors of importance in the eleventh and twelfth centuries aided the efforts of the communes towards liberty and rendered their struggle a successful one. But in England all was different, and whenever the townsmen under the control of an abbot or prior made any efforts to win liberties and self-government the chances were all against the success of the movement. The ecclesiastical lords held their towns either by prescription or by royal charter, frequently by both, and no English king was inclined, unless his personal interests were involved, to deprive powerful religious bodies of rights long possessed and enjoyed by them, or granted to them by his predecessors. The royal power in fact was, as we have seen, exercised on the side of ecclesiastical domination and it formed the most effective support for the monks. Even if the townsmen made good their stand for a short time, as at St. Albans, their lord was almost certain to triumph in the end and reassert his rights over them. England was rarely, even during the Middle Ages, in such a state that

insurrection and violence could go long unpunished. The central authority was always powerful enough to interfere in the affairs of the towns and a resort to force on the part of the townsmen was sure to be severely punished. The strong alliance between Church and State which existed throughout the middle period made it certain in England that if ecclesiastical lords would not grant liberties to their burgesses peaceably, and few were inclined to do so, there was little hope of winning such liberties by force and violence.

Thus it was that the struggle, which took place in so many monastic towns, in 1327, ended so disastrously for the townsmen. They gained nothing in the way of greater liberty and self-government, nay, rather they lost something, in that the control of the abbot and convent over them was strengthened and they sank back in the scale of municipal development. What little result these risings may have had was to teach the ecclesiastical corporations the danger and folly of driving the townsmen too far and of keeping too strict a hand over them. As an interesting phase of English municipal history the risings in the monastic towns in 1327 are worthy of note, for they show the strength and influence of the monastic system in England, and how in many a town the monastic corporation was able to beat down and suppress the growing municipal spirit of the time, though we cannot but agree with the unknown versifier who wrote :

" Saint Benet made never none of them
To have lordship of man nor town."

NORMAN MACLAREN TRENHOLME.

THE FRENCH HAKLUYT; MARC LESCARBOT OF VERVINS

THE rôle played by France in American discovery and colonization during the course of the sixteenth century was by no means such a minor and unimportant one as is generally supposed. Apart from the fact that her privateers long preceded the English of Elizabeth's day in their attacks on Spanish commerce—even Columbus dreaded a brush with these French rovers—vessels under the command of such men as de Gonville, Verrazano, the Parmentiers, Jacques Cartier, Jean Alfonse, Villegagnon, Ribaut, Laudonnière and the Marquis de la Roche made the *fleur-de-lis* known and respected along the whole Atlantic coast from Labrador as far south as Brazil. True it is, that Frenchmen did not go much further afield in these parts. No French vessel entered the Pacific through the straits of Magellan nor is there any record of an attempt on the part of a Frenchman to solve the mystery of a Northwest Passage. The colonies sent out at this time to America by France also proved unsuccessful; but so did those which came from England. Indeed at the close of the century, France was the only power outside Spain and Portugal which had a foothold in America.¹

Comparing the whole careers of France and England in America in the sixteenth century that of France was indeed the more brilliant during the first half of that century. Then took place the voyages of de Gonville and Denis to Brazil, those of the Parmentiers to the same region as well as to Cape Breton and Newfoundland, that of Verrazano along the whole coast from South Carolina northward as far as Cape Breton; while the exploration of the Gulf of St. Lawrence and the discovery of the river of that name by Jacques Cartier during the years 1534 to 1536 added fresh and ever-green laurels to the French name. Unfortunately the attempts made by Cartier and Roberval in 1541 and 1542 to find the mysterious kingdom of Saguenay, said to be rich in gold and precious stones, met with no success—for the simple reason that no such country existed.

¹ This was represented by the poor wretches left by de la Roche on Sable Island and who were not taken off till 1603. Cf. Gosselin, *Nouvelles Glânes Historiques Normandes*, Rouen, 1873, pp. 10 *et seq.*

During the same period, French privateers were continually engaged in preying upon the Spanish colonies and Spanish shipping. So early as 1498 indeed Columbus had been obliged to divert the course of his third voyage in order to avoid a French fleet;¹ and in the year 1513 two caravels were sent out to guard the coasts of Cuba.² Ten years later the rich fleet from Mexico was waylaid near Cape St. Vincent by six French rovers who carried off two caravels loaded with gold.³ In the year 1528 a French corsair burned the town of San German in Porto Rico,⁴ while during the years 1536 and 1537 a perfect reign of terror existed among the islands on account of the ravages of a fleet of these buccaneers.⁵ Early in the year 1538, Havana was burned and destroyed.⁶ During the war with Spain from 1542 to 1544 these islands proved a happy hunting-ground for many a French rover and so pleased were they as a rule with the success of their visits that they continued to return, even after peace had been declared.⁷

The list of English voyages and discoveries during the first half of the sixteenth century is on the other hand a very meagre one. About the year 1507 Sebastian Cabot seems to have made an attempt to find a northwest passage⁸ and twenty years later an English vessel, which had lost her consort in a storm near Newfoundland, made her way along the coast southward as far as the island of Porto Rico.⁹ Beyond an unimportant expedition to Newfoundland in 1536, there¹⁰ is nothing further to record except a few trading voyages to Brazil.¹¹ The only English privateer, of which we have any notice at this time, is one that visited the West Indies in the year 1540 under a French pilot.¹²

¹ F. Navarrete, *Colección de los Viajes y Descubrimientos*, etc., Madrid, 1825, I. 245; "y navegué a la Isla de la Madera por camino no acostumbrado, por evitar escándalo que pudiera tener con un armada de Francia."

² *Colección de Documentos Inéditos de Indias*, second series, VI. 3, No. 281 and note.

³ Archivo General de Indias at Seville, est. 2, cajon 5, leg. 2^a, fols. 1-2. An English translation of this document will be found in Murphy, *The Voyage of Verrazzano*, New York, 1875, Appendix No. IV., pp. 164-165.

⁴ *Colección de Documentos Inéditos de Indias*, first series, XI. 564.

⁵ *Ibid.*, second series, IV. 425-426; VI. 22-31.

⁶ *Ibid.*, second series, VI. 34-35, 73.

⁷ *Ibid.*, second series, IV. 197, Nos. 407-408 and pp. 199 and 240; VI. 256, 297-298 and 302. Archivo General de Indias, Seville, est. 2, caj. 5, leg. 2^a, fols. 14-15, and 17-23.

⁸ *The Geographical Journal*, London, February 1899, pp. 204-209.

⁹ Hakluyt, *Principall Navigations*, London, 1600, III. 129. Purchas, *His Pilgrimes*, London, 1625, III. 809. *Colec. de Doc. Inéd.*, first series, XXXVII. 456-458; XI. 305-354, and second series, IV. 57-60.

¹⁰ Hakluyt, *op. cit.*, pp. 129-131.

¹¹ *Ibid.*, pp. 700-701.

¹² *Col. de Doc. Inéd.*, first series, I. 572 and 575.

In the second half of the century, however, matters were completely altered. France, weakened by constant religious and civil wars, had no force to waste in foreign adventure; on the other hand England, blessed, especially during Elizabeth's reign, with domestic peace and growing prosperity, seemed to awaken to new life; and expeditions were despatched in unrelenting succession to almost all the four corners of the globe. At the close of the century not only could a writer say that "many valiant attempts had been made in searching almost all the corners of the vast and new world of America," but two separate expeditions had also gone around the world in the short interval of eleven years. The exploits, however, of Drake and Cavendish in the Pacific and Indian Oceans, of Frobisher and Davis in the northern seas, of Raleigh and Gilbert in Virginia and Newfoundland, of the Hawkinses in the Spanish Main, of Oxenham, Barker, Fenton and the Earl of Cumberland against Spanish commerce in general, are too well known to need recital here.

Opposed to the wonderful exploits of these men, such achievements as those of Villegagnon in Brazil, of Ribaut, Laudonnière and Gourgues in Florida, of Strozzi and de Chaste in the Azores and of de la Roche and Chefdestel at Sable Island, seem extremely moderate ones. Fortunately they do not represent all that was done by Frenchmen in America at this time. It is to be sure a most strange fact that no French writer yet discovered has anything to say of the exploits of his countrymen at this time in the West Indies. When one considers how great a portion of Hakluyt's collection is filled with minute accounts of the doings of the English rovers then famous, one recognizes what the loss of these French narratives means to the fame of the French seamen of that day. The French, however, might reply that like the Spartans of old they were too busy performing brave deeds, to find the time to describe them; for in Spanish sources we now and again get glimpses of their doings. Thus in July 1553 the town of Santiago was taken and only given up when a large ransom had been paid.¹ In the following year, in which eight different French vessels touched at Porto Rico alone,² these rovers so lorded it over this whole region that the governors thereof complained to the Emperor Charles the Fifth that the French were as complete masters of those seas, as the Emperor himself of the River Guadalquivir in Spain.³ In the year 1555 Havana was destroyed for the second time in seventeen years;

¹ *Colec. de Doc. Ind. de Ind.*, second series, VI. 360, Nos. 492 and 494, p. 428, and pp. 434-443.

² *Ibid.*, pp. 427-428.

³ *Ibid.*, p. 360, No. 492.

and in the same year three other towns met with a similar fate.¹ The riches collected were no doubt great, for the poor colonists complained that the French now seemed to look upon those islands as all their own.²

It is notices of this sort which make us deplore the absence of such full accounts of these expeditions as Hakluyt has preserved for us of the doings of Hawkins and Drake. Had there then existed in France some one willing to make a journey, not of two hundred miles, but even of ten, "onely to learne the whole trueth from the onely man then alive that was in this (or that) discoverie,"³ France's record before the tribunal of history for achievements in America during the latter half of the sixteenth century would be far more brilliant than it is. The accounts even of such voyages as those of Cartier and Roberval to the St. Lawrence in 1541 and 1542 are known to us only through Hakluyt, for the single Frenchman who shortly afterwards did try to make a collection of early French voyages to America could then find absolutely nothing about them in that language.

This man, who represents in France the position occupied by Hakluyt in the history of English geography, was Marc Lescarbot of Vervins. It was however only chance which took Lescarbot to America and only the inducement of his friends caused him to write about his voyage. When engaged in this, it occurred to him that "since loose papers are soon lost," it would be well "to add in a brief form to the account of the voyage of de Monts and de Poutrincourt, that which had been written about the earlier French discoveries."⁴ Instead however of interviewing the living survivors of such expeditions as that to Florida or to Sable Island, he contented himself with merely reading at the King's Library anything he found in print on those subjects. He seems to have once met a connection of Roberval's but the oral information vouchsafed by this namesake of the first viceroy of Canada is of little or no importance.⁵ Although on the other hand he has the advantage

¹ *Colec. de Doc. Ind. de Ind.*, first series, XII. 49-82; second series, VI. 360-427 and p. 436.

² *Ibid.*, second series, VI. 437, "Que tienen los franceses por tan propinquas y por suyas estas yslas y Tierra Firme mas que a Francia," etc.

³ Hakluyt, *op. cit.*, III. 131, "As hee [Thomas Butts] told me Richard Hakluyt of Oxford himselfe, to whom I rode 200 miles onely to learne the whole trueth of this voyage [to Newfoundland] from his own mouth, as being the onely man now alive that was in this discoverie."

⁴ M. Lescarbot, *Histoire de la Nouvelle France*, Paris, 1866, I. 4-5, "Et d'autant que tant de Memoires dispersés se perdent facilement. . . . Ainsi m'a semblé à propos de joindre brièvement, et comme par epitome à la description des derniers voyages faits par les Sieurs de Monts et de Poutrincourt . . . ce que nos François ont laissé par écrit des découvertes qu'ils ont dès long temps fait ès parties Occidentales," etc.

⁵ *Ibid.*, edition of 1609, p. 433.

over Hakluyt of having visited America and of having left us a most entertaining account of the manners and customs of the Indians near the Bay of Fundy, yet he would have merited a still larger share of our gratitude had he given us, as his English contemporary has done, long, original and interesting accounts of the voyages made to America before and during his own time.

Marc Lescarbot was born at Vervins near Laon of a good family sometime between the years 1560 and 1570.¹ The exact date of his birth is not known. After receiving a good education, he took up the study of law, but he had not yet been called to the bar when in 1598 he pronounced in his native town before the papal legate an oration of thanksgiving on the conclusion of peace with Spain.² In the following year he published a translation of a Latin work by Cardinal Baronius on the origin of the Russians.³ From the title-page of this we see that he was called to the bar in that year. Among his first briefs seem to have been several in which Jean de Biencourt Seigneur de Poutrincourt was interested.

The family of Biencourt was descended from a certain André de Biencourt who was prior of Biencourt in 1142. Many of its members had held offices of importance in Picardy, and Florimond de Biencourt, the father of Lescarbot's friend, had been a gentleman of the household of Francis I. Under Henry II. he held the office of governor of the duchy of Aumale and in 1549 was sent as ambassador to the Emperor Charles V. to marry Anne, daughter of Hercules of Este, by procurator for the son of the Duke of Guise. By his wife Jeanne de Salazar Florimond had nine children, four boys and five girls. The eldest boy, a page to Henry II., was never heard of after the battle of Dreux, and Charles, the third son, was killed at the battle of Moncontour in 1569. Jacques the second son inherited the title, while Jean the fourth son became famous as the colonizer of New France.⁴ Jean, who had received in 1565 the seigneurie of Marsilly-sur-Seine, served as squire to the Duke d'Aumale. He also enjoyed the confidence of Henry IV., who ap-

¹ *Ibid.*, p. 180, "Vervin en Tierache lieu de ma naissance," etc. Cf. Demarsy, *Notes sur Marc Lescarbot, Avocat Vervinois*, Vervins, 1868, *passim*.

² *Ibid.*, p. 801, "A Vervin, lieu de ma naissance où je fis . . . deux actions de grace en forme de Panegyrique à Monseigneur le Legat Alexandre de Medicis Cardinal de Florence depuis Pape Leon XI., imprimées à Paris." Copies of this oration in Latin and in French are preserved at the Bibliothèque Nationale, nos. L. b. 35, 732 and 733.

³ *Discours sur l'Origine des Russiens et de leur miraculeuse Conversion et de quelques actes mémorables de leurs Rois; en outre comme par laps de tens ilz ont quitté la verité connue et maintenant une grande partie d'iceux se sont rangez à la communion du S. Siège Apostolic*, traduit en françois du Latin du Cardinal Cesar Baronius par Marc Lescarbot Advocat, Paris, 1599.

⁴ De la Chenaye-Desbois et Badier, *Dictionnaire de la Noblesse*, Paris, 1864, III. 193 et seqq.

pointed him Chevalier of the King's order and *maitre de camp* of an infantry regiment.¹ In the year 1604 he set sail with de Monts in the hope of finding in New France a suitable spot to which he might retire with his family. His choice fell upon Port Royal in Acadia and this de Monts at once made over to him.²

During de Poutrincourt's absence Lescarbot was given charge of his affairs. These seem to have kept him busy until de Poutrincourt's return in the autumn of 1604 when "those," he says, "who had attacked him savagely during his absence at once became silent and gracious."³ During the year 1605 Lescarbot doubtless continued his practice at Paris, for it was from there that he set forth with de Poutrincourt in the spring of 1606 to embark at La Rochelle for New France. De Poutrincourt was going out, at some sacrifice to himself, to take charge of the colony in the absence of de Monts, while Lescarbot's excuse was his desire "to examine the land with his own eye and to flee a corrupt world." It appears that some disfavours received in court had given his mind for the moment a pessimistic turn.⁴

Embarking on the *Jonas* at La Rochelle in May they did not reach Port Royal till the end of July.⁵ On July 30, 1607, Lescarbot left Port Royal on his return to France so that he passed just twelve months in the country.⁶ He saw however very little of it except the region about Port Royal and the coast from there to Canso. The only other points visited were the river St. John and the island of Ste. Croix in the Bay of Fundy.⁷ Although he left

¹ *De la Chenaye-Desbois et Badier*, p. 203.

² Lescarbot, *Histoire de la Nouvelle France*, Paris, 1609, p. 473. "Le sieur de Poutrincourt estoit desirieux dès y avoit long temps de voir ces terres de la Nouvelle France et y choisir quelque lieu propre pour s'y retirer avec sa famille;" also p. 481, "Le sieur de Poutrincourt ayant trouvé ce lieu (Port Royal) à son gré, il le demanda avec les terres et continentes au sieur de Monts . . . ce qui luy fut octroyé." For proof of his name, cf. p. 572: "Tant à cause de la fête saint Jean, que pour l'amour du Sieur de Poutrincourt, qui porte le nom de ce Saint;" and the signature on p. 659.

³ *Ibid.*, p. 542. "Quoi qu'à son premier voyage il eust éprouvé la malice de certains qui le poursuivoient rigoureusement absent et devindrent souples et muets à son retour."

⁴ *Ibid.*, 542-543. "Et ayant eu l'honneur de le [Poutrincourt] connoître quelques années auparavant, il me demanda si ie voulais estre de la partie. A quoy ie demanday un jour de terme pour luy répondre. Apres avoir bien consulté en moy-même, desirieux non tant de voir le pais . . . que de reconnoître la terre oculairement, à laquelle j'avoys ma volonté portée, et fuir un monde corrompu, je luy donnay parole; estant même induit par l'injustice que m'avoient peu auparavant fait certains Juges Presidiaux," etc.

⁵ *Ibid.*, p. 558. "Le Samedi . . . treizième de May, nous levames les ancrs et fimes voiles," etc.; p. 581, "Le Jeudi vingt-septième de Juillet nous entrames dedans [Port Royal] avec le flot," etc.

⁶ *Ibid.*, p. 643. "Et le 30 de Juillet partirent les deux autres. J'estois dans la grande," etc.

⁷ *Ibid.*, p. 637. "Et pource que Chevalier desiroit amasser quelques Castores; il l'envoya dans une petite barque à la riviere Saint-Jean . . . et l'île Sainte-Croix

Port Royal for Canso at the end of July, the vessel in which the colonists returned to France (it was again the *Jonas*) did not leave Canso till her cargo of fish was complete, which was early in September.¹

On his return to France in the autumn of 1607, Lescarbot again resumed his practice at Paris, and it was not until the Easter law vacation of the year 1608 that his thoughts were turned to the production of a work on New France. At the instance of his friends, he was soon persuaded to set to work upon a history of French efforts to establish a foothold in the New World. His plan was, after briefly reviewing the early voyages of Verrazano, Cartier, Villegagnon and Laudonnière from books found in the King's Library, to give an original account of the attempt at colonization recently made by de Monts, and in which he himself had taken part.² The work, which was finished at the end of November,³ was published in the following year under the title of *Histoire de la Nouvelle France contenant les navigations, découvertes, et habitations faites par les François es Indes Occidentales et Nouvelle France souz l'aveu et autorité de nos Rois Tres-Christiens et les diverses fortunes d'iceux en l'exécution de ces choses depuis cent ans jusques à lui.*

The work is divided into three books. In the first are described the voyages of Verrazano, Villegagnon, Ribaut, Laudonnière and Gourgues. The accounts of the expeditions of Cartier, Roberval, de la Roche and de Monts occupy the second book, while in the

... Je fus du voyage," etc. Cf. also pp. 752 and 822. A letter dated at Port Royal August 22, 1606, and written in all probability by Lescarbot, is preserved in the Archives of the French Foreign Office (Amérique, I. 25 and 26). It was published by M. Gabriel Marcel in the *Revue de Géographie* for January 1885. In 1613 Champlain (*Œuvres* published by Laverdière, III. 123) mentioned that Lescarbot had never been beyond Ste. Croix and four years later Lescarbot replied (edition of 1617, p. 594) that he had never pretended the contrary.

¹ *Ibid.*, p. 649. "Le troisième jour de Septembre nous levames les ancrs," etc. Cf. also p. 716.

² *Histoire de la Nouvelle France*, Paris 1609, p. 5. "Ainsi m'a semblé à propos de joindre brièvement et comme par epitome à la description des derniers voyages faits par les sieurs de Monts et de Poutrincourt en la Nouvelle France, ce que nos François ont laissé par écrit des découvertes qu'ils ont dès long temps fait es parties Occidentales," and again p. 6, "Je veux donc faire un recueil general de ce que j'ay leu en divers petits traitez et memoires que j'ay pris tant en la Bibliothèque du Roy qu'ailleurs; ensemble de ce que le sieur De Monts . . . a fait et exploité au voyage qu'il y fit il y a cinq ans; et finalement ce que j'y ay veu et remarqué, en l'espace de deux étés et un hiver que nous avons esté en ladite province . . . tant pour contenter l'honnête desir de plusieurs qui dès long temps requierent cela de moy, que pour employer utilement les heures que ie puis avoir de loisir durant ce temps qu'on appelle des Vacations." He added in 1617 "des Vacations en l'an 1608." Cf. also p. 663.

³ The privilege to print is dated November 27, 1608. Cf. also p. 526, "l'an dernier mil six cens sept;" and p. 624, "le dernier hiver de l'an mil six cens sept et huit;" also p. 652.

third and last he gives a description of the manners and customs of the savages of the New World.¹

After stating what he proposed to do in Chapter I. and proving to his satisfaction in Chapters II. and III. that the Gauls, being descended from Noah, had always been great navigators,² and that they or other Europeans were the ancestors of the American Indians, he begins his account of the French expeditions to the New World in Chapter IV. with that of Verrazano. He does not go into this very fully however but contents himself with merely copying the account given by Belleforest.³ He appears however to have seen Ramusio, for he gives the same account of Verrazano's death as that given by the latter.⁴

His account of the expeditions of Ribaut, Laudonnière and Gourgues which occupies Chapters V. to XX. is taken from a work published at Paris in the year 1586 under the title of *L'Histoire Notable de la Floride située es Indes Occidentales contenant les trois voyages faits en icelle par certains Capitaines et Pilotes françois, décrits par le Capitaine Laudonnière, qui y a commandé l'espace d'un an trois mois; à laquelle a esté adjousté un quatriesme voyage fait par le Capitaine Gourgues*. This work had been published by the efforts of a French mathematician named Basanier and of the English collector of voyages Hakluyt.⁵ It is strange however that no one has hitherto pointed out that the "tomb" in which the manuscript had been lying was Thevet's, the Cordelier's, cell.⁶ Lescarbot, who

¹ *Ibid.*, p. 25. "Ce que je feray, Dieu aydant, en trois livres, au premier desquels sera décrit ce qui avoisine les deux Tropiques, au deuxième ce qui est depuis le quarantième degré jusques au cinquantième et au troisième les mœurs, facons et coutumes des peuples desquels nous avons à parler."

² In proof of this Lescarbot cites the "*Æquivoces*" of Xenophon. No such work ever existed. He drew his information from a volume of forged fragments published by Annus of Viterbo (Giovanni Nanni) at the close of the fifteenth century. In the edition printed by Ascensius at Paris in 1512 under the title of *Antiquitatum Variarum volumina XVII.*, the *De Aequivocis* occupies folios xxxiv to xli. The passage here referred to will be found on folio xxxvi verso while the accompanying commentary is on folios xxxvii and xxxviii.

³ *Histoire*, 1609, p. 27. "Duquel je représenteray les choses principales sans m'arreter à suivre le fil de son discours." Belleforest, *Cosmographie Universelle*, Paris, II. 2175-2178. This was a translation of Münster's work with additions.

⁴ *Ibid.*, p. 36. "Quelqu'un dit qu'estant parvenu au Cap Breton il fut pris et dévoré par des Sauvages." In truth Ramusio does not say where his death took place, but only that it was on a subsequent voyage: "et nell' ultimo viaggio, che esto fece havendo voluto smontar in terra con alcuni compagni, furono tutti morti da quei popol et in presentia di coloro, che erano rimasi nelle navi, furono arrostiti et mangiati." *Navigazioni et Viaggi*, Venice, 1556, III. fol. 417 verso.

⁵ "Mise en lumière par M. Basanier, Gentil-homme françois Mathématicien." Cf. also the dedication to Raleigh. "Je l'ay tirée avec la diligence de Monsieur Hakluyt, homme certainement bien versé en l'histoire géographique . . . comme du tombeau, où elle avoit ja si longtemps inutile reposé," etc.

⁶ Bibliothèque Nationale MS. Fr. 15453, fol. 177 verso. "J'ay asses amplement

does not mention the work by name,¹ does not give the narrative in full, but while reproducing most of the details and some of the speeches usually contents himself with merely summarizing it.² He intersperses the narrative however with reflections of his own³ and in proof of his remarks cites Las Casas at some length on the cruelties inflicted by the Spaniards on the natives in Cuba.⁴ He also mentions the work of Acosta.⁵

In the remaining chapters of Book I. (numbers XXI.-XXX.) Lescarbot describes the attempt made by Villegagnon to form a settlement in Brazil. He had intended at first simply to give a résumé of the work published by de Léry who did not go out till 1556, but when the first part of his book was already in the printer's hands, fresh material was given him by one of his friends which enabled him to give details of the first voyage made in 1555.⁶ He was thus able to publish two letters written from Brazil by Nicolas Barré and printed at Paris in 1557.⁷ He gives only the second letter in full however and reserves that part of the first in which are described the country and the natives for his third book, on the

discours l'histoire des François occis à la Floride. . . . Il en y a une petite histoire imprimée l'année passée laquelle fidelement j'avois presté sur bonne foy a un certain Anglois nommé Richard Hakluyt, écrite à la main, lequel l'ayant communiquée à un jeune homme Parisien nommé M. Basanier, me la tindrent quatre mois ou environ, au bout duquel temps le firent imprimer a Paris. J'ay icy a me condoloir avec mes amis contre ces plagiaires et imposteurs. . . . Ayant commis . . . telle vilainie en mon endroit tous deux m'apporterent l'un des livres qu'ils firent imprimer pensans me gratifier avec ma copie bien escrite, lequel livre ils dedirent a un Chevalier Milord d'Angleterre nommé Walter Raleigh," etc. Cf. also MS. Fr. 15454, fol. 148.

¹ *Histoire*, etc., p. 39. "Que l'historien de ce voyage appelle Roy," etc.

² *Ibid.*, p. 62. "Je ne vaux m'arrêter a toutes les particularités de ce qui s'est passé en ce voyage, craignant d'ennuyer le lecteur en la trop grande curiosité mais seulement aux choses plus generales et plus digne d'estre sceuës." Cf. p. 45.

³ *Ibid.*, p. 51. "En quoy ie conjecture que dès le mois de janvier ilz m'avoient plus rien." Cf. pp. 58, 104, 126.

⁴ *Ibid.*, p. 121. "Je m'en rapporte à ce qu'en a écrit Dom. Barthelemi de las Casas," etc. Cf. also pp. 122 et seqq. "Cet authœur nous a laissé un Recueil ou abbregé intitulé *Destruction des Indes par Les Hespagnols*," etc.

⁵ *Ibid.*, p. 127. "Je les r'envoye à un autre qui a décrit l'histoire naturele et morale des Indes tant Orientales qu'Occidentales, Joseph Acosta lequel," etc. Cf. also p. 173.

⁶ *Ibid.*, p. 147. "Le Roy . . . fit donner à Villegagnon deux beaux navires . . . pour faire son voyage. Duquel j'avois omis les particularitez pour n'en avoir seu recouvrer les memoires, mais sur le point que l'Imprimeur achevoit ce qui est de la Floride un de mes amis m'en a fourni de bien amples, lesquels en ce temps-là ont esté envoyez par deça de la France Antarctique par un des gens dudit sieur de Villegagnon."

⁷ *Copie de quelques Lettres sur la Navigation du Chevalier de Villegaignon es terres de l'Amérique oultre l'equinoctial, jusques sous le tropique de Capricorne; contenant sommairement les fortunes encourues en ce voyage avec les moeurs et façons de vivre des Sauvages du pais; envoyées par un des gens dudit seigneur*, Paris, 1557. They will also be found in Ternaux-Compans, *Archives des Voyages*, Paris, 1843, I. 102-116, and in Gaffarel, *Histoire du Brésil Français au Seizième Siècle*, Paris, 1878, pp. 373-385.

manners and customs of the savages.¹ Chapters XXIII. to XXX., describing the despatch of the Genevan Huguenots and the subsequent failure of the colony, are taken from the work published by de Léry in 1578 and reprinted in 1580.² As in the case of Laudonnière's work however Lescarbot contents himself with relating merely the principal events, at the same time keeping up a running comment of his own.³ In this connection he cites also the works of Peter Martyr⁴ and André Thevet.⁵

Book II. describes the expeditions of Cartier, Roberval, de la Roche and the voyage made by Champlain to the St. Lawrence in the year 1603. Cartier's first two voyages in 1534 and 1535 are given in full. Lescarbot took his version of the first voyage from the French translation of Ramusio published at Rouen in 1598.⁶ He also printed some verses on the voyage to Canada which were published with that edition.⁷ In copying this account he for some reason put the "first of August" for the "twenty-fourth of July" and afterwards gave no more dates until the end of the voyage.⁸ His account of Cartier's second voyage is taken from Manuscript No. 5589 of the Bibliothèque Nationale, which he tells us was the very original presented by Cartier to Francis the First.⁹ He modern-

¹ *Histoire*, etc., p. 156. "Quant à ce qui est des mœurs et coutumes des Bressiliens et du rapport de la terre, nous recueillerons au dernier livre ce que l'auteur du *Memoire* sus-écrit en a dit."

² *Histoire d'un Voyage fait en la Terre du Bresil, autrement dite Amerique contenant la navigation et choses remarquables, vues sur mer par l'auteur; le comportement de Villegagnon en ce pays là, les mœurs et façons de vivre estranges des sauvages ameriquains; avec un colloque de leur langage, ensemble la description de plusieurs animaux, herbes et autres choses singulieres; et du tout inconnues par deça; dont on verra les sommaires dans les chapitres au commencement du livre. Le tout recueilli sur les lieux par Jean de Léry, natif de la Margelle, terre de Saint-Sene, au duché de Bourgogne, La Rochelle, 1578. The edition published at Geneva in 1580 was reprinted by M. Gaffarel at Paris in 1880.*

³ *Histoire*, p. 165, "Quoy que je ne me veuille arrêter à toutes les particularitez qu'a écrit Jean de Léry, auteur de l'histoire de ce voyage;" and p. 170, "Jean de Léry cherchant la raison de cela, presuppose, etc. Or ie ne puis bonnement m'y accorder," etc. Cf. also pp. 186, 202.

⁴ *Ibid.*, p. 167. "Suivant le rapport qu'en fait Pierre Martyr, celui qui a écrit l'histoire des Indes Occidentales, lequel en parle en cette sorte," etc.

⁵ *Ibid.*, p. 208. "Es chartes geographiques qu'André Thevet fit imprimer au retour de ce pays là," etc.

⁶ *Histoire*, p. 231. "Ainsi i'ay laissé en leur entier les deux voyages dudit Capitaine Jacques Quartier; le premier desquels estoit imprimé." This edition is entitled: *Discours du Voyage fait par le Capitaine Jaques Cartier aux Terres neuves de Canadas, Noremburgue, Hochelage, Labrador, et pays adiacens, dite nouvelle France, avec particulieres mœurs, langage, et ceremonies des habitans d'icelle*, Rouen, 1598. It was reprinted by M. Michelant at Paris in 1865.

⁷ *Ibid.*, p. 232. "Au surplus ayant trouvé en tête du premier voyage du Capitaine Jacques Quartier quelques vers François, ie n'en ay voulu fruster l'auteur, duquel i'eusse mis le nom s'il se fust donné à connoître."

⁸ *Ibid.*, pp. 278 et seqq. Michelant's edition, pp. 56 et seqq. Cf. p. 285.

⁹ *Ibid.*, p. 231. "Mais le second ie l'ay pris sur l'original présenté au Roy écrit"

izes the spelling, however, and also suppressed some of the dedication which seemed to him too bigoted.¹ Moreover, he does not give this relation continuously but breaks it up into sections between which he inserts portions of Champlain's account of his voyage to the St. Lawrence in the year 1603.² Thus before beginning Cartier's relation he gives a summary of Champlain's voyage as far as the island of Anticosti. He then gives the dedication of Cartier's relation and the account of his voyage until he reached Tadoussac. "Let us now," he continues, "leave Captain Cartier with the savages at Tadoussac while we go and meet Champlain whom we left at Anticosti."³ After giving Champlain's account of his voyage from Anticosti to Tadoussac he again takes up Cartier, whom he follows up the river to Stadacona and Ste. Croix.⁴ After bringing Champlain to the same spot,⁵ he takes them each in turn to the rapids of Lachine and back again. His reason for bringing out in such contrast these two voyages, over the same ground, was because this portion of Cartier's voyage had been forgotten and people were then of the opinion that Champlain was the first who had gone as far as the Rapids. Although Lescarbot does not wish to detract unnecessarily from Champlain's credit, who had himself been under the same impression,⁶ yet he wishes to see justice done to Cartier.⁷ Be-

la main, couvert en satin bleu." Cf. Biggar, *The Early Trading Companies of New France*, Toronto, 1900, the appendix on Cartier's Voyages.

¹ *Ibid.*, Au Lecteur, "Pour l'Orthographe j'ay suivi la plus simple qu'il m'esté possible rejetant à peu pres toutes lettres superflues." It seems strange therefore to speak of Lescarbot's version of Cartier's voyages.

² *Ibid.*, p. 287. "Et d'autant que le voyage du sieur Champlain fait depuis six ans est une même chose avec cetui-ci, je les conjoindray ensemble tant qu'il me sera possible, pour ne remplir inutilement le papier de vaines repetitions." This voyage is entitled *Des Sauvages ou Voyage de Samuel Champlain de Brouage, fait en la France Nouvelle l'an mil six cens trois*, etc., Paris, n. d.

³ *Ibid.*, p. 304. "Or maintenant laissons le Capitaine Jacques Quartier deviser avec ses Sauvages au Port de la riviere de Saguenay, qui est Tadoussac, et allons au devant du sieur Champlain, lequel nous avons ci dessus laissé à Anticosti . . . car il nous décrira ledit Port de Tadoussac," etc.

⁴ *Ibid.*, p. 325. "Laissons maintenant le sieur Champlain faire la *Tabagie* . . . et discourir de la Theologie avec les Sagamos . . . et allons reprendre le Capitaine Jacques Quartier lequel nous veut mener à-mont la riviere de Canada jusques à Sainte-Croix."

⁵ *Ibid.*, p. 341. "Or devant que nôtre Capitaine Jacques Quartier s'embarque pour faire son voyage, allons querir le sieur Champlain, lequel nous avons laissé à Tadoussac . . . Nous le lairons en garnison à Sainte Croix, tandis que ledit Capitaine fera la decouverte de la grande riviere jusques au Saut et à Hochelaga."

⁶ Champlain indeed had made this statement in his *Des Sauvages*. Vid. *Œuvres de Champlain*, II, 27. "Et une autre riviere du meme costé . . . qui est celle où fut Jacques Cartier au commencement de la decouverte qu'il en feit et ne passa point plus outre." Palma Cayet added in 1605 "ni autre après luy que en ce voyage." *Chronologie Septenaire*, Paris, 1836, p. 453.

⁷ *Ibid.*, p. 346. "Ainsi des faits de plusieurs personnages, desquels la memoire se

sides, each did not observe the same points so that to get the whole truth one must hear all the witnesses.¹ After telling the story of Cartier's winter at Ste. Croix and of his return to France in the spring of 1536,² he concludes this part of his work with the description given by Champlain of his voyage home in 1603.³ The story of the Gougou, however, excites his mirth rather than his credulity and he also makes fun of Palma Cayet for printing it as valid.⁴ In Chapter XXIX., which is given up to personal observations on the accounts of Cartier and of Champlain, he corrects some faults in Belleforest⁵ and at the same time expresses his belief in that portion of Cartier's relation which describes the Kingdom of Saguenay, although the facts sounded exceedingly strange.⁶ He cites here the work of Jean Alfonse⁷ and also that of Wytfliet.⁸

All Lescarbot's information about Roberval is taken from the slight mention of that expedition in the letters patent granted to de la Roche⁹ and from what he gleaned in conversation with one of Roberval's descendants.¹⁰ He states erroneously, however, that

per bien souvent avec les hommes et sont frustrez de la loïange qui leur appartient. Et pour n'aller chercher des exemples externes, le voyage de nôtre Capitaine Jacques Quartier depuis Sainte Croix jusques au Saut de la grande riviere, estoit inconnu en ce temps ici . . . si bien que le sieur Champlain pensoit estre le premier qui en avoit gaigné le pris. Mais il faut rendre à chacun ce qui lui appartient et suivant ce, dire que ledit Champlain a ignoré l'histoire du voyage dedit Jacques Quartier. Et neantmoins ne laisse point d'estre loïable en ce qu'il a fait. Mais je m'etonne que le sieur du Pont . . . ait ignoré cela," etc. Cf. also pp. 365-366.

¹ *Histoire*, p. 366. "Car En la bouche de deux ou trois témoins toute parole sera résoluë et arrêtée."

² *Ibid.*, p. 386. "Mais avant que ce faire, nous reciterons ce que ledit Capitaine Quartier rapporte en general des merveilles du grand fleuve de Canada," etc.

³ *Ibid.*, p. 415. "Ayans r'amené le Capitaine Jacques Quartier en France, il nous faut retourner querir le sieur Champlain . . . à fin qu'il nous dise quelques nouvelles de ce qu'il aura veu et ouï parmi les Sauvages depuis que nous l'avons quitté."

⁴ *Ibid.*, p. 420. "Toutes lesquelles choses ledit Champlain a depuis reconu estre fabuleuses;" also p. 424, "Un sçavant personnage . . . est encore en plus grand' faute, ayant mis . . . tout le discours dudit Champlain sans nommer son auteur et ayant baillé les fables . . . pour bonne monnoye." Cf. Palma Cayet, *Chronologie Septenaire*, Paris, 1836, pp. 450 et seqq.

⁵ *Ibid.*, p. 425. "Lesquels écrivent sans rien digérer : de quoy i' accuserois aucunesment le sieur de Belle-forest n'estoit la reverence que porte à sa memoire." Cf. Müns-ter, *Cosmographie Universelle*, translated by Belleforest, Paris, 1575, folio II. 2184 et seqq.

⁶ *Ibid.*, p. 428. "Quelqu'un pourroit accuser . . . Quartier d'avoir fait des contes de Pline, quand il dit . . . qu'ès pais de Saguenay il y a des hommes accoutrez de draps de laine," etc. But "Ces terres là ne sont point si bien decouvertes qu'on puisse sçavoir tout ce qui y est. Pour le reste il a son auteur . . . lequel avoit couru des grandes contrées toute sa vie," etc.

⁷ *Ibid.*, p. 529.

⁸ *Ibid.*, p. 526.

⁹ *Ibid.*, p. 433. "Or par ladite Commission se reconoit que quatre ans apres . . . Quartier le même Roy François premier donna pouvoir à Jean François de la Roque," etc.

¹⁰ *Ibid.*, p. 433. Ausuelles faits de guerres ce Roberval acquit tant de credit . . .

Roberval and his brother made a second expedition when the wars at home were over, and that in this they both lost their lives.¹ He could also find no account of the expedition of de la Roche, which he places in the year 1596, so contented himself with printing his commission after the edition published at Rouen in 1598.²

The remainder of Book II. (Chap. XXXI.-XLVIII.) gives the history of de Monts's attempt to colonize Acadia. This, the only original part of the work, is also the most important, for it supplements in many places the account of the same given by Champlain.³ In Chapter XXXI. Lescarbot gives the commission of de Monts after an edition published in Paris in 1605 and of which a copy is preserved in the archives of the French Foreign Office.⁴ Chapters XXXII. to XXXVIII. tell the story of the departure of the colonists from France, of the search for a suitable spot for settlement, of the choice of the Island of Ste. Croix, of the winter spent there and finally of the removal of the colony to Port Royal. Since during this period Lescarbot was still in France he must have received his information from some of those who took part in these events. Among the chief of these was probably de Poutrincourt, for we have a number of details of his voyage out⁵ and back.⁶ The events in the colony during the year 1605, when de Poutrincourt was absent, were obtained doubtless from de Monts or from one of his men.⁷ It is possible indeed that Lescarbot even had at his disposal a diary kept by some one on the voyage or otherwise he would not have been able to give the exact dates of so many events.⁸ Chapters XXXIX. to XLVIII. contain an account of

que le Roy appelloit Le petit Roy de Vimeu, à ce que j'ay entendu du sieur De la Roque à present Prevôt de Vimeu, qui se dit de la parenté dudit sieur de Roberval."

¹ *Ibid.*, p. 434: "Après que les guerres eurent pris quelque *interim* par deçà, ces deux champions . . . equipperent quelque navire pour continuer l'entreprise et sont encore à revenir." For a good life of Roberval see Abbé E. Morel, *Jean François de la Roche, Seigneur de Roberval*, in the *Bulletin de Géographie Historique et Descriptive*, Paris, 1892, pp. 273-296.

² *Ibid.*, p. 431. "De la Roche duquel nous n'avons point de memoire qu'il ait rien fait, sinon d'avoir déchargé quelques 40 hommes à l'île de Sable." Cf. also p. 18. Michelant et Ramé, *Voyage de Cartier au Canada en 1534*, Paris, 1865, p. 3. "Ayant ces iours passez imprimé l'Edict du Roy contenant le pouvoir et commission donnée par sa Maïesté au sieur Marquis de la Roche pour la conquête des terres-neufves, de Norembegue," etc. Lescarbot uses the same title. Cf. *Histoire*, p. 434.

³ Laverdière, *Œuvres de Champlain*, Tome III., Chap. II-XI.

⁴ *Amérique*, Vol. IV.

⁵ *Histoire*, pp. 473-499.

⁶ *Ibid.*, pp. 499 et seqq. "Par ainsi les navires estans prêts à partir pour le retour, de Poutrincourt se mit . . . dedans l'un d'iceux . . . Le voyage ne fut sans tourment et grands perils. Car entre autres i'en reciteray deux ou trois," etc.

⁷ *Ibid.*, pp. 503-505, 525, 530-532, 534-539.

⁸ *Ibid.*, pp. 474, "le septième jour de Mars;" p. 475, "le sixième de May;" p. 476, "la dixième de Mars;" p. 486, "le vingt quatrième Juin," etc.

Lescarbot's own voyage to Port Royal, of his life there during the winter of 1606-1607 and of his return to France in the autumn of the latter year. Here, where he is recounting events in which he himself took part, Lescarbot is certainly at his best. His gaiety,¹ his inquisitive mind,² his original way at looking at things,³ all come out clearly in these chapters of his work. He evidently kept a diary of his own in order to be able to reproduce so faithfully the dates of the principal events.⁴ After describing what took place at Port Royal on their arrival and during the absence of de Poutrincourt on a voyage of discovery when he himself was left in charge of the colony,⁵ he gives a short description of this voyage.⁶ Champlain's account however is more complete for he formed part of the company.⁷ Lescarbot does not go into great detail as to the events of the winter.⁸ He has told us elsewhere however that after the day's work was over, he himself used to retire to his study where he wrote or read. He had brought with him a small collection of books as well as his Bible out of which, indeed, at de Poutrincourt's request, he preached to the company every Sunday.⁹ In thus replacing the regular priest who had died before their arrival,¹⁰ Lescarbot seems to have thumbed his Bible

¹ *Histoire*, p. 563. "Nous ne laissions pourtant de rire la pluspart."

² *Ibid.*, p. 556. "Il me vint en memoire l'ancienne coutume des Chrétiens, lesquels allans en voyage portoient avec eux le sacré pain de l'Eucharistie . . . ie demanday si on nous voudrait faire de même," etc.

³ *Ibid.*, pp. 545 et seqq., where are printed his verses "*Adieu à la France*."

⁴ *Ibid.*, p. 545, "le lendemain de nôtre arrivée qui fut le troisième jour d'avril;" p. 558, "l'onzième de May" and "le Samedi . . . treizième de May;" p. 559, "le seizième jour de May;" p. 565, "Depuis que nous eumes quitté ces Forbans, nous fumes jusques au dix-huitième de juin agitez de vents;" p. 567, "Et le 21 dudit mois;" p. 569, "ce qui occasionna de jeter la sonde par un jeudi vingt deuxième de Juin;" p. 575, "Le quatrième de Juillet noz matelots . . . appareurent dès le grand matin les îles Saint Pierre;" p. 584, "Il arriva le Lundi dernier jour de Juillet et demeura . . . au Port Royal jusques au vingt huitième d'Aoust," etc.

⁵ *Ibid.*, p. 590. "L'estois demeuré, ayant esté de ce prié pour avoir l'œil à la maison et maintenir ce qui y restoit de gens en concorde."

⁶ *Ibid.*, pp. 589-617.

⁷ Laverdière, *Œuvres de Champlain*, Tome III., Chaps. XIII-XV.

⁸ *Histoire*, etc., pp. 618-619. "Ce seroit chose longue de vouloir minuter tout ce qui se faisoit durant l'hiver."

⁹ *Ibid.*, pp. 518-519. "Car chacun estant retiré au soir, parmi les caquets, bruits et tintamares, l'estois enclos en mon étude lisant ou écrivant quelque chose. Mêmes ie ne seray point honteux de dire qu'ayant esté prié par le sieur de Poutrincourt nôtre chef de donner quelques heures de mon industrie à enseigner Chrétiennement nôtre petit peuple, pour ne vivre en bêtes, et pour donner exemple de nôtre façon de vivre aux Sauvages, ie l'ay fait . . . par chacun Dimanche, et quelquefois extraordinairement préqué tout le temps que nous y avons esté. Et bien me vint que j'avois porté ma Bible et quelques livres, sans y penser: Car autrement cela m'eust fort fatigué, et eust esté cause que ie m'en serois excusé."

¹⁰ *Ibid.*, p. 556. "N'y estant demeuré qu'un Prêtre en la demeure de la Nouvelle France lequel on nous dit estre mort quand nous arrivâmes là."

well, for in his history he cites it at very frequent intervals.¹ He brings this portion of his history to a close with an account of the arrival of Chevalier, of the preparations for departure and of the return voyage from Canso to St. Malo.² After a visit to Mont St. Michel which he calls the "eighth wonder of the world," he and de Poutrincourt embarked again at St. Malo in a small vessel for Honfleur whence they made their way to Paris.³

Of what took place in the Bay of Fundy in the summer of 1608, the year after his return, he was able to obtain information from Champdoré and others,⁴ but since Champlain had remained during the winter of 1608 and 1609 at Quebec, Lescarbot was unable to give an account of events in the St. Lawrence.⁵ His account of Champdoré's return to Acadia is however a very summary one.

Book III. is given up entirely to a description of the manners and customs of the Savages of the New World.⁶ Since he had not thought of publishing a work when he was in the country,⁷ he had to rely for his information on what he could recall from memory, on his journal (if he really had one), and on what he found in other writers. In the course of his remarks on the births, marriages, deaths, wars, funerals, virtues and vices of the Indians he cites again Laudonnière,⁸ de Léry,⁹ Cartier,¹⁰ and Champlain¹¹ and also makes

¹ *Ibid.*, pp. 7, 10, 13, 16, 19, 22, 49, 198-199, 484, 519, 523, 537, 555, etc.

² *Ibid.*, pp. 629-650.

³ *Ibid.*, p. 650. "Ayans demeuré trois au quatre jours à Saint Malo, nous allames . . . au Mont Saint Michel . . . Quant au batiment il merite d'estre appellé la huitième merveille du monde," etc.

⁴ *Ibid.*, p. 652. "Lesdits navires estans de retour, nous avons eu rapport par le sieur de Champdoré et autres de l'état du país que nous avons laissé," etc.

⁵ *Ibid.*, p. 654. "Le sieur Champlain est . . . en la grande riviere de Canada . . . où il s'est fortifié, ayant mené des menages avec du bestial, et diverses sortes d'arbres fruitiers . . . Il n'est pas homme pour demeurer en repos, et attendons bientôt nouvelles de l'entiere decouverte de cette grande et noppareille riviere et des país qu'elle arrouse par la diligence dudit Champlain,"

⁶ *Ibid.*, p. 661. "Il m'a semblé necessaire de m'exercer en ce troisieme livre sur ce sujet (la maniere de vivre) pour ce qui regarde les nations desquelles nous avons parlé," etc.

⁷ *Ibid.*, p. 663. "Lors que j'estois pardela ne pensant rien moins qu'a cette histoire ie n'ay pas pris garde à beaucoup de choses que j'auroy peu observer."

⁸ *Histoire*, etc., p. 683. "Le Capitaine Laudonniere en son histoire de la Floride dit," etc. Cf. also pp. 688, 724, 747, 757, 786, 796.

⁹ *Ibid.*, p. 665. "Les Bresiliens à ce que dit Jean de Leri, lequel j'ayme mieux suivre en ce qu'il a veu qu'un Hespagnol," etc. Cf. also pp. 684, 685, 693, 747.

¹⁰ *Ibid.*, pp. 673 et seqq. "Jacques Quartier en sa deuxième Relation rapporte ce qui j'ay n'aguères dit en ces mots, qui ne sont pas couchez ci dessus au livre second," etc. Cf. also pp. 744, 853.

¹¹ *Ibid.*, p. 674. "Le sieur Champlain . . . fait rapport," etc. Cf. also pp. 725, 853.

use of Belleforest,¹ Acosta,² Gomara,³ Pigafetta⁴ and Hariot.⁵ His method of procedure is as a rule to give the custom of the Greeks, Romans, Hebrews, Gauls or Germans in the matter and then to contrast with this that of the savages of the New World. He thus makes use of a great number of classical writers among whom one might cite Hesiod, Herodotus, Plato, Xenophon, Aristotle, Polybius, Strabo, Plutarch, Hippocrates, Heliodorus, Oppian, Athenaeus, Pausanias, Theophrastus, Diodorus Siculus and Arrian as well as Plautus, Caesar, Cicero, Livy, Virgil, Tacitus, Pliny, Aulus Gellius, Claudian, Ammianus Marcellinus, Sidonius, Procopius and Josephus. He seems also to be familiar with the early Christian fathers and cites Tertullian, St. Augustine, St. Isidore and St. Jerome. Among more modern writers he makes mention after Jean de Meung and Joinville of Olaus Magnus,⁶ Oribasius,⁷ Annii of Viterbo,⁸ Busbecq⁹ and the Seigneur des Accords.¹⁰

The small volume of verses entitled *Les Muses de la Nouvelle France* which is generally found bound up with the history contains nothing of very great interest. There is a Pindaric ode to King Henry IV., an ode each to de Monts and de Poutrincourt; while Champdoré is honored with a sonnet. The other verses were written to celebrate special events; as the departure of the vessel

¹ *Histoire*, p. 683. "Et toutesfois le sieur de Belle-forest écrit avoir pris de ladite histoire ce qu'il met en avant," etc. Cf. also pp. 728, 849.

² *Ibid.*, p. 688. "Ainsi qu'en discourt amplement Joseph Acosta," etc. Cf. also pp. 725, 813, 818, 836.

³ *Ibid.*, p. 680. "L'Histoire generale des Indes Occidentales rapporte," etc. A French translation of Gomara was published under this title at Paris by Martin Fumée in 1569 and reprinted in 1578, 1580 and 1584.

⁴ *Ibid.*, p. 715. "Lesquels Pighafatte en son Voyage autour du monde dit," etc. This work which was published at Paris with no date is entitled *Le Voyage et Navigation fait par les Espaignolz es isles de Molluques (de 1519 à 1522): Des isles quilz ont trouue audict voyage, des roys dicelles, de leur gouvernement et maniere de vivre avec plusieurs autres choses*.

⁵ *Ibid.*, p. 698. "Car l'auteur de l'histoire de la Virginie dit," etc. Cf. also pp. 729, 872. A French translation of Hariot's work appeared in 1590 in the first volume of Bry's large collection of voyages.

⁶ *Histoire*, p. 508. "Et si on veut encore ouir le temoignage d'Olaus Magnus," etc. The work referred to is his *Historia de Gentibus Septentrionalibus*, Rome, 1555.

⁷ *Ibid.*, p. 761. "Car le vin . . . dit Oribasius," etc. *Oribasii Collectaneorum Artis Medicae liber, quo totius corporis humani sectio explicatur*, Paris, 1556.

⁸ *Ibid.*, p. 788. "Et l'a fort bien remarqué Jean Annii de Viterbe." He is really citing his edition of Berosus which was published at Antwerp in 1552 under the title of *Berosi antiquitatum Italiae ac totius orbis libri V. commentariis Joannis Annii Viterbensis illustrati adjecto nunc primum indice locupletissimo et reliquis ejus argumenti authoribus*.

⁹ *Ibid.*, p. 775. "Ce qu'ecrit le sieur de Busbeque au discours de son ambassade en Turquie." It is his *Itinera Constantinopolitanum et Amasianum*, published at Antwerp in 1581.

¹⁰ *Ibid.*, p. 875. "Le sieur des Accords . . . recite," etc. The work is his *Les Touches* published at Paris in 1585.

for home in August 1606, the return of de Poutrincourt from his voyage of discovery to the South in the autumn of that year and finally Lescarbot's own departure from New France in the summer of 1607.

Upon its appearance Lescarbot's work at once met with a good reception. It described interesting events and was written in an agreeable manner. The author was not a pedant but on the contrary one who enjoyed a good story. He himself took delight in what he related and his own questions, conjectures and observations give one pleasure even to this day. It is not surprising therefore that an English and a German translation of the work soon appeared. The first was done at Hakluyt's request by P. Erondelle who seems to have been a Huguenot pastor in London.¹ He only translated however that portion of the work which dealt with the settlements at Ste. Croix and Port Royal and the last book, on the manners and customs of the savages. The translation, which was dedicated to Prince Henry, was made "to the end that comparing the goodnesse of the lands of the Northerly parts with Virginia, greater encouragement might be given to prosecute that generous and godly action."² The Chapters XXXI. to XLVIII. of Book II. form the first book of the English edition, while Book III. of the French edition forms the second. Lescarbot's name however is nowhere given. The translation seems to be well done and the work must have been of great interest to English readers at the time of its appearance.

The German translation, which did not appear until 1613, gives only a brief summary in some eighty pages of the whole of the original.³ This abridgment was published by a Catholic nobleman for the benefit of his co-religionists.⁴

Shortly after the publication of his history, Lescarbot was thrown into prison on the charge of having written a work against the Jesuits.⁵ Whether guilty or not, he was soon released, for in the au-

¹ *Nova Francia or the Description of that part of New France which is one continent with Virginia. Translated out of French into English by P. E.*, London, 1609. Cf. HARRISSE, *Notes pour servir à l'Histoire, à la Bibliographie, etc., de la Nouvelle France*, Paris, 1872, p. 25.

² To the Reader.

³ Marc Lescarbot, *Nova Francia: Gründliche History von Erfindung der grossen Landschaft Nova Francia oder New Frankreich genannt. Aus einem zu Paris gedruckten Französischen Buch in Teutsch gebracht*, Augsburg, 1613.

⁴ Preface. "Also hat sich ein Fürnemer Edler . . . leichtlich erbitten lassen, den Catholischen zu gutem vorgemeldtes Buch in das Teutsch zubringen."

⁵ L'Estoile, *Memoires-Journaux*, Paris, 1881, X. 88. "Un advocat de mes amis nommé Lescarbot en peine et en prison pour le Mastigophore de Fuzy à la suscitation, ainsi qu'on disoit, et par la trahison d'un imprimeur nommé Langlois." Cf. also pp. 87 & seqq. The work referred to is entitled: *Le Mastigophore ou précurseur du Zodiaque*,

turn of 1610 appeared his *Conversion des Sauvages*, in which he gave an account of de Poutrincourt's return to Port Royal and of his efforts after his arrival to convert the savages in the neighborhood.¹ It was doubtless Saint-Just, who had come to France that summer with a load of furs, who furnished Lescarbot with most of his facts.²

In the year 1611 Lescarbot brought out a new edition of his history in an enlarged and corrected form. The corrections consisted of a fresh dedication to the new king, Louis XIII., and he also placed the voyage of de la Roche in the year 1598 instead of 1596. By means of the official statement of Cartier's expenditure communicated to him by Samuel Georges of La Rochelle, who had been a shareholder in De Mont's company, he was also able to add a few more facts about Roberval.³ He also gave for the first time Cartier's commission for his third voyage.⁴ He inserted further a new chapter on the attempt of de la Jannaye and Nouel to obtain a monopoly of the fur trade in 1588, which had not been mentioned in the first edition.⁵ Indeed the whole work now formed six books instead of three. Book I. is composed of the first twenty chapters of the first edition, while Chapters XXI. to XXX. of the same make up Book II. Chapters I. to XXX. of the old Book II. now form Book III., while the remaining chapters of that book, Nos. XXXI. to XLVIII., form the new Book IV., but there are no changes in the text. These four books thus cover the ground gone over in Books I. and II. of the first edition. He now added an account in six chapters of Champlain's achievements in the St. Lawrence since the year 1608 and of de Poutrincourt's return to Port Royal in 1610 out of which he formed Book V. His account of events in the St. Lawrence was given to him by Champlain himself,⁶ while for the Acadian portion of the Book he uses his own *Conversion des Sauv-*

*auquel par manière apologétique sont brisées les brides à veaux de maistre Juvain Solan-
roque pénitent repent, seigneur de Morddrest et d'Amplademus en partie, du côté de la
moué; traduit du latin en françois par maistre Victor Grévé, géographe microcosmique,
n.p., 1609.* According to Brunet the author was a certain Fusi, curé of St. Leu-et-St.
Giles at Paris, and the work was directed against one of his churchwardens.

¹ *La Conversion des Sauvages qui ont esté baptizés en la Nouvelle France cette année
1610 avec un Bref Recit du Voyage du sieur de Poutrincourt*, Paris, n.d.

² Saint-Just reached France on August 21. *The Jesuit Relations and Allied
Documents*, Cleveland, 1896, II. 140. The privilege for printing *La Conversion* is dated
September 9.

³ *Histoire de la Nouvelle France*, 1611, p. 410. "Ainsi que ie trouve par le
compte rendu desdits denieres par ledit Quartier, qui m'a esté communiqué par le sieur
Samuel Georges Bourgeois de Rochelle." Cf. also p. 517.

⁴ *Ibid.*, pp. 411-416.

⁵ *Ibid.*, pp. 417-419.

⁶ *Ibid.*, p. 631, "Selon que m'a recité ledit Champlain;" p. 632, "Au recit dudit
Champlain;" p. 663, "Ce qu'ayant entendu de la bouche dudit Champlain," etc.

ages. Book III. of the edition of 1609, on the manners and customs of the savages, forms the new Book VI., and does not seem to have been altered. In the volume of verses called the *Muses* he has added a sonnet to Champlain, an ode in memory of Captain Gourgues and some lines on the death of a savage in Florida who had offered to give his life for the French.

On account of Lescarbot's not being present when the printing of this edition was begun, several errors crept in which were corrected in the edition published in 1612.¹ The absence of the table of errata seems indeed the only difference between these editions. That of 1612 was reprinted at Paris in 1866 with an introduction by M. Tross.

In the same year 1612 Lescarbot published his *Relation Dernière*.² This is a small pamphlet of forty pages containing an account of de Poutrincourt's return to Port Royal in 1610 and of the principal events which had taken place there since that date. Although he had already given some account of these events in his *Conversion des Sauvages* as well as in the fifth chapter of Book V. of his history as published in 1611, yet he now goes over the same ground again, although he adds a notice of events up to June 1611. It was in that month indeed that de Poutrincourt had set sail for home and it was doubtless he who recounted to Lescarbot all that is here described. It was also no doubt at de Poutrincourt's request that special stress was laid upon the conversion effected among the savages for he hoped on account of this to receive some aid from the King in his undertaking.

During the years 1612 to 1614 Lescarbot was in Switzerland in the suite of Pierre de Castille the French ambassador to that republic who was afterwards appointed intendant of finances in France.³ During his leisure hours Lescarbot composed some verses on the country, which however he did not publish until the year 1618.⁴

¹ *Les Muses*, etc., p. 66. "L'auteur n'ayant peu estre present au commencement de l'impression, quelques fautes sont survenues en icelle," etc.

² *Relation Dernière de ce qui s'est passé au voyage du sieur de Poutrincourt en la Nouvelle France depuis 20 mois ença*, Paris, 1612.

³ *Histoire*, 1617, p. 678, "du quinzième May mille six cens treze, moy étant en Suisse." Cf. also p. 684, "que ie receu de sa part l'an suivant mille six cens quatorze, étant encore en Suisse."

⁴ *Le Tableau de la Suisse et autres allies de la France es hautes Allemagnes auquel sont descrites les singularités des Alpes, et rapportées les diverses alliances des Suisses; particulièrement celles qu'ils ont avec la France*, Paris, 1618. In the dedicatory epistle to de Castille written at the opening of the year 1614 he says that he had already been there two years. "Ayant eu l'honneur et contentement d'avoir veu . . . depuis deux ans ença, le sit et naturel de ce pais," etc. *Les Bains des Fieffers* on pages 48 et seqq. was published separately in 1613 at Lyon.

How Lescarbot occupied his time on his return from Switzerland we do not know, but it was not until the year 1617 that he brought out a third and further enlarged edition of his history of New France. The first four books and the last, Book VI., however, are the same as in the previous edition (except that Chapters III. and IV. of this last are rolled into one), so that all the fresh material is given in Book V. Indeed this book, which in the edition of 1611 only contained six chapters, now possesses fifteen. Although part of this fresh material (viz., Chaps. IX. and X.) is only a repetition of his *Conversion des Sauvages* and *Relation Dernière*, and other chapters (III. to VII.) are formed by subdividing former ones (viz., old Chaps. III. and IV.), yet part of the material at the end of this book is absolutely new. Thus in Chapters XI. to XV. he gives for the first time an account of the disputes between Saint-Just and the Jesuits as well as of the attempt of the latter to form a fresh settlement at St. Sauveur and of their capture by Argall. Part of this he obtained from the *Factum*¹ and from Biard's *Relation*² which had appeared in the previous year, while he also makes use of some letters sent to him from Port Royal in 1614.³ Furthermore he prints a procès-verbal drawn up at La Rochelle in July 1614.⁴ The account of Champlain's operations in the St. Lawrence, begun in the edition of 1611, is continued and in much greater detail. These dates and other matters now given for the first time are taken from the volume published by Champlain in the year 1613.⁵ Some of the facts relating to Champlain's voyage up the Ottawa in the summer of 1613 had however been given to Lescarbot by a Norman friend.⁶ Further than the year 1613 he does not go for events in the St. Lawrence.

Les Muses de la Nouvelle France, dated 1618, contains no

¹ *Histoire*, 1617, p. 677, "laquelle est couchée tout au long au Factum du sieur de Poutrincourt," etc. Cf. also p. 678. This factum appeared in the year 1614 under the title *Factum du Procès entre Jean de Biencourt chevalier Sieur de Poutrincourt Baron de S. Just appellant d'une part et Pierre Biard, Evemond Massé et Consorts soy disans Prestres de la Société de Jésus, intimes.*

² *Ibid.*, p. 676. "Le même pere Biard passe sous silence sept mois de temps," etc. Cf. p. 668, "car le Pere Biard n'en fait aucune mention," etc. Biard's *Relation* was published at Lyons in 1616 under the title *Relation de la Nouvelle France, de ses terres, naturel du pays et de ses habitants, item du voyage des Pères Jésuites ausdites contrées et de ce qu'ils y ont fait jusques à leur prise par les Anglais.*

³ *Ibid.*, pp. 678-679, 684-685.

⁴ *Ibid.*, pp. 687-690.

⁵ *Ibid.*, pp. 615-616, "Champlain racontant ce fait;" p. 619, "à ce que dit Champlain." Cf. also pp. 620, 634, 647.

⁶ *Ibid.*, p. 647. "Les particularités de ce dernier voyage m'ayans été recitées par un Gentil-homme Norman . . . ie les ay depuis trouvées vérifiées par la relation qu'en a fait trop au long ledit Champlain," etc.

changes from the edition published in 1611. Editions also of the History dated 1618 only differ from the edition of 1617 in the correction of the errata and the consequent absence of this leaf.

In the same year 1618, in which also appeared his *Tableau de la Suisse* mentioned above, Lescarbot published a small pamphlet on the fall of Concini from power.¹ After congratulating Louis XIII. on his courage in getting rid of such a pest,² he urges him to put an end to the Turkish empire³ and to subdue the peoples of New France.⁴

After Lescarbot's marriage, which took place in the following year, doubtless as a result of his appointment to the post of naval commissioner,⁵ we hear nothing more of him until the year 1629, when he published a small volume of verse on the defeat of the English at La Rochelle.⁶ On the title-page he calls himself "Marc Lescarbot Esquire Seigneur de Wiencourt et de Saint Audebert." This title he inherited though his wife Françoise de Valpergue though in what year we do not know.⁷ This is the last production from Lescarbot's pen but the date of his death is not yet known.

Such then are the life and works of the first historian of New France. In contrast with the aridity of the Jesuit Relations and with the prolific geographical details given by Champlain, Lescarbot's bright and pleasant manner of recounting his adventures in the New World give even the reader of the present day a keen pleasure. His original way of looking at things, his poetical vein and above all the continual good humor which bubbles out all through his work, leave upon one the impression of a jovial companion and an intelligent conversationalist. Possessed of the true philosophic spirit he was as happy at Port Royal cultivating his garden and

¹ *Le Franc Gaulois au Roy, Sur le Repos de la France*, Paris, 1618. Another copy is entitled *Le Bout de l'An Sur le Repos de la France*, etc. Copies of these are preserved at the Bibliothèque Nationale, L. b⁹⁶ 1118 and 1119. Lescarbot had also signed the dedication of the *Tableau de la Suisse* to the king, "le Franc Gaulois." This pamphlet itself however is signed "Marc Lescarbot."

² *Ibid.*, pp. 3-4, "Toutes nations s'estonnoient de voir maistriser dan vostre Louvre un faquin . . . Il s'estoit à vos depens asservi voz villes . . . il dispoisoit de la paix et de la guerre. Il gouvernoit vos finances et vos armées et nous faisoit égorger les uns les autres," etc.

³ *Ibid.*, p. 12. "Il faut ruiner l'Empire de Mahomet."

⁴ *Ibid.*, "Il faut Sire gagner à Dieu et à votre Majesté les peuples transmarins de l'Occident." Cf. also p. 15.

⁵ *Annales de Voyages*, Paris, 1869, I. 76-81.

⁶ *La Chasse aux Anglois en l'île de Rez et au siège de la Rochelle et la reduction de ladite ville à l'obéissance du Roy*, Paris, 1629.

⁷ *Ibid.*, Au Roy. "La revolution et conduite de ma vie m'ayant amené à estre heritier des services que les Sieurs de Valpergue ont depuis deux cens ans et au dessus rendu à vostre Majesté," etc.

spending the evening with his books as he had been formerly at the gay court of the French capital. That such a man should have left to us his impressions of a voyage to Acadia in the beginning of the seventeenth century and of his life there during some thirteen months must ever be a matter of satisfaction to those who wish to read in any detail the early history of New France.

H. P. BIGGAR.

THE TRANSITION FROM DUTCH TO ENGLISH RULE IN NEW YORK

A STUDY IN POLITICAL IMITATION

IN the development of political institutions, imitation plays a large part. What appears a successful or admirable political principle among one people, may be taken wholly or partially into the life of another race, and there under new conditions give rise to further political variations. The study of this process of imitation is always interesting, but, unfortunately, it has its dangers. No better illustration of the temptations which befall the student of political imitation could be given than the recent emphasis which has been placed upon the Dutch influence in American history. Broad and hasty generalizations have been made from analogies, in which the similarities may have been conscious or wholly accidental. *Post hoc ergo propter hoc* is the favorite argument of this class of thinkers. But if the question of the quantitative influence of Dutch upon American institutions is ever to be answered, it must be based upon something better than analogies.

Fortunately we have an opportunity to study the two races side by side, in colonial New York; and there, if anywhere, should we be able to compare the political practice of the two nations, and determine the results of the contact of one with the other. Here are seen first the Dutch ruling over subject English towns, and then the English assuming control over all New Netherland; and in their mutual relations or political expressions, now so fully illumined by the publications of the New York state government, one can find illustrations of their political activity and ideals.

An attempt has already been made¹ to compare the political practice of the Dutch and English towns under the New Amsterdam jurisdiction. In 1664 the English obtained the Dutch territories, and naturally this year, beginning the Anglicizing process, forms a logical view-point for a second glance at the Dutch and English institutions.

On March 12, 1664, King Charles II. granted to his brother James, Duke of York and Albany, a part of Maine, all of Long Island,

¹ AMERICAN HISTORICAL REVIEW, VI. 1-18, *supra*.

Martha's Vineyard and Nantucket, "and all the land from the west side of Connecticutt to the east side of Delaware Bay." By this grant the King not only disregarded the rights of the friendly nation of the Dutch, but he also ignored the charters of Massachusetts and Connecticut, and previous grants to individuals in Maine and on Long Island. No provision was made, either, for the recognition of the property rights of Englishmen or Dutchmen already settled upon the territory; and in political matters the Duke was to be absolute ruler, unrestrained by any popular participation in government:

"We do grant unto our dearest brother James, his heires deputies agents commissioners and assignes by these presents full and absolute power and authority to correct punish pardon governe and rule all such the subjects of us . . . that shall or doe at any time hereafter inhabite within the same according to such lawes orders ordinances direccons and instruments as by our said dearest brother or his assignes shall be established . . . soe alwayes as the said statutes be not contrary to but as neare as conveniently may be agreeable to the lawes statutes and government of this our realme of England . . ."

The Duke had the further right to confine the privilege of trade with his lands to such persons as he might direct. This charter, the most despotic ever granted for the government of an English colony on the American continent, harmonized well with the political theories and later practice of the Duke of York. There was no protection for the property or trade of the existing settlers; their land-titles were not secure; their religious establishments received no guarantee, and no consideration whatever was given to them in political affairs.

The arrival of an English fleet in New York harbor, and the capitulation of New Amsterdam on September 6, 1664, were the first steps in the assumption of control by the English. The actual fact of conquest was obtained through the military superiority of the English, and, as in all conquests, it took some time for the physical superiority of the conquerors to be established in legal forms; the military power was not immediately translated into civil terms. In the settlements on the Hudson and Delaware rivers several years elapsed before the ultimate governing powers were taken from the hands of the military officers and placed in the care of civil officials; and in the meanwhile, it is interesting to note the progressive limitations which were placed, voluntarily or involuntarily, upon the arbitrary actions of the Duke of York or of his officials.

Naturally the first of these checks is to be found in the terms of the capitulation of the Dutch, of which there were three sets of articles, drawn up respectively for New Amsterdam,¹ for the upper

¹ *Documents Relating to the Colonial History of New York*, II. 250-253. Quoted hereafter as *N. Y. Col. Doc.*

Hudson settlements,¹ and for the Delaware territories.² Although differing in minor details, the features of these sets of articles were closely similar. All persons recognizing the authority of the King of England were to be accepted as denizens in the English sense, and guaranteed the enjoyment of their lands, houses and goods. Permission was given to the Dutch inhabitants to leave the country within a limited time and take their property with them; if they remained in the colony, the Dutch rules of inheritance were to be maintained, and liberty of conscience and worship established. In political affairs, no sudden change in the local government was contemplated. In New Amsterdam it was agreed that

"All inferior civil officers and magistrates shall continue as now they are (if they please) till the customary time of new elections, and then new ones to be chosen by themselves, provided that such new chosen magistrates shall take the oath of allegiance to his majesty of England before they enter upon their office."

On the Delaware it was provided that

"The Present Magistrates shall be continued in their offices and Jurisdictions to exercise their Civill power as formerly.

"The Schoute, the Burgomasters, Sheriffe, and other inferiour Magistrates shall use and exercise their Customary Power in admⁿon [administration] of Justice within their Precincts for Six Moneths or untill his Maj^{ties} pleasure is further known."

The conquering English thus recognized and continued the political organization, the religious principles, the property rights, and the judicial procedure of the Dutch. But this was considered only a temporary settlement, and while property rights and religious freedom might be made permanent, it was the evident intention of the English to change the political system. On Long Island there was a large English population, which had been under the Connecticut or the New Netherland jurisdiction, and which could be governed only by English methods; while New Amsterdam and the Dutch settlements on the Hudson and Delaware rivers could not easily be changed from the Dutch practices. Thus the commander Nicholls was forced to adapt his political organization to the character of the predominating race in the several sections of his lands, and yet each was influenced by the other; the establishment of English political ideas on Long Island was retarded by the Dutch principles which Nicholls had learned, and the Anglicizing process among the Dutch was hastened by the demands of the Long Island English.

¹ *N. Y. Col. Doc.*, XIV. 559; Bodhead, *History of the State of New York*, II 46-47.

² *N. Y. Col. Doc.*, III. 71-73; Hazard, *Annals of Pennsylvania*, 362-364.

The Dutch method of governing New Netherland harmonized well with the despotic powers given to the Duke of York. Before the conquest the Dutch Director and Council, usually resident in New Amsterdam, had been the supreme political power. They had passed the laws, they had levied and collected duties and taxes, they had formed the highest court of the colony, they had drafted and controlled the military forces, they had appointed local officials, usually from a double nomination by the incumbent officers—in short they were the absolute ruling body of New Netherland, and among them, in most cases, the director was an autocrat, whose word was law. Several partially representative boards or assemblies had, indeed, existed in New Netherland, but they had never formed an integral part of the government; and during the ten years from 1653 to 1663 there was no meeting whatever of a popular representative body. The Dutch directors thus allowed almost no popular legislative action, and with their councils they assumed all legislative, executive and judicial powers. The authorities thus exercised by the director and council closely paralleled those given to the Duke of York, and by him passed on by commission¹ to his deputy-governor, Colonel Richard Nicholls. To no other proprietor had such absolute political powers been granted, and in no other part of the continent from the Carolinas to Maine was there so little popular political liberty as was to be found in the Dutch New Netherland. Hence the new autocratic English government had the experience of the old despotic West India Company as its guide, and the policy of Governor Nicholls was made possible not only by his own military force, but also by the pre-existing political practice of the Dutch.

Following, therefore, the words of his commission, and copying also the Dutch organization, Nicholls reserved to himself and his councillors the general administration of the province. He had, indeed, promised the English inhabitants of Long Island that they should have privileges at least equal to, and perhaps greater than those of the New England colonies;² but this promise was not carried out in the sense in which it was interpreted by the Long Islanders. The governor erected Long Island, Staten Island and the Bronx peninsula into a county, called Yorkshire, and divided it into three judicial ridings; and the justices of the peace of this county were given the right to attend once a year a general judicial body, called the court of assizes. This court was composed of the

¹ Brodhead, *History of the State of New York*, Vol. II., Appendix, p. 653.

² *Southold Town Records*, I. 357; *Report of N. Y. State Historian*, 1897, 240-242; *N. Y. Col. Doc.*, XIV. 555-556.

governor, his councillors and the justices; and in addition to its judicial powers, it also had the right, with the governor's consent, to pass laws. This latter feature did not, however, give to the court the nature of a popular assembly, for the justices were appointed by the governor and retained their offices during his pleasure;¹ and in some cases the governor changed the laws without waiting for the consent of the court.² Thus this body, composed of the governor's appointees, could not be truly representative of the people, when their positions were dependent upon the will of the governor.³ Finally it must be noted that the legislation of this court was not enforced throughout all the territories of the Duke, but only in Yorkshire. New Amsterdam, as we shall see, had its government prescribed for it, by Nicholls and his council; while, for ten years or more, the settlements on the Delaware and the upper Hudson rivers were governed solely by the instructions sent to the military commanders at those places.

With the continuance of the English authority, and the influx of English office-holders, traders and settlers, the process of Anglicization advanced, gradually introducing one or another of the features of English political practice, but maintaining, too, part of the Dutch customs untouched. In New Amsterdam the government was changed from that of Dutch "burgomasters and schepens" to English "mayor and aldermen and sheriff;" on Long Island a code of laws, "the Duke's Laws," was drawn up by Nicholls, establishing many English customs in Yorkshire; on the Delaware and Hudson rivers some English features were introduced; and at last, after almost twenty years had passed, and much popular opposition to the Duke's government had arisen, the noble proprietor granted his colonists the privilege of electing delegates to a representative assembly. The subject thus naturally falls under two heads, the first dealing with the changes in local government, and the second with the adaptation of the English idea of political representation to the territories of the Duke of York. The present paper will discuss the first topic only, and attempt to point out the local governmental policy.⁴

As New Amsterdam, now called New York, was the seat of government of the province, and the city officials were nearest of all

¹ *N. Y. Colonial Laws*, I. 55.

² *Ibid.*, 70, 88.

³ Yet the Duke of York maintained that the court was a satisfactory representative body. *N. Y. Col. Doc.*, III. 218.

⁴ No mention will be made of the institutions developing in the tract of land between the Hudson and Delaware rivers—New Jersey—because under the government of its proprietors it was almost independent of New York.

local officers to the person of the governor, it will be best to glance first at the conditions therein. The articles of capitulation, already quoted, confirmed the civil magistrates in their positions, and granted them the right of making new elections at the close of their terms. There was, therefore, no compulsory change in the personnel of the city government, but several changes took place voluntarily on the part of the incumbents; one of the city magistrates left for Europe,¹ another resigned his position,² and the schout of the neighboring hamlet of Harlem refused to perform the duties of his office.³ No advantage appears to have been taken by Nicholls of these opportunities to place Englishmen in office; but the vacancies were filled, if at all, in the old Dutch manner. In the meantime the local officers, schout, burgomasters and schepens, continued to hold their courts, appoint arbitrators, and adopt local measures; and no change appears in their manner of holding meetings or in the extent of their jurisdiction. In February, 1665, the terms of the officers expired, and in their customary way, they presented in nomination to the governor the names of persons to fill the offices for the ensuing year; whom he, following the habit of the Dutch directors, confirmed.⁴ Thus there appears no formal change in the government of the city.

Yet Nicholls was making his influence felt. In October, 1664, he had required both city magistrates and inhabitants to take an oath to obey all commands issued by the King of England, by the Duke of York, or by any of his governors or officers.⁵ And early in the next spring he ordered the city to find quarters for one hundred soldiers; but the burghers refused to take them into their houses, and after a long controversy, the city authorities yielded so far that they ordered a tax for the support of the soldiers.⁶

Perhaps as a result of this quarrel over the quartering of soldiers, or it may be as the outcome of a policy already adopted by Nicholls, in June 1665 the old Dutch forms were superseded by the titles of an English corporation, and the Dutch officers were set aside to make room for Englishmen. On June 12, Nicholls appeared in the

¹ *Records of New Amsterdam*, V. 160.

² *Ibid.*, 166.

³ Riker, *History of Harlem*, 239-240.

⁴ *Records of New Amsterdam*, V. 183-184. The new officers were all Dutchmen.

⁵ *Records of New Amsterdam*, V. 142 ff.; *N. Y. Col. Doc.*, III. 74-77. The oath is as follows: "I swear by the name of Almighty God, that I will bee a true subject, to the King of Great Brittain, and will obey all such commands, as I shall receive from His Majestie, His Royall Highnesse James Duke of Yorke, and such Governors and Officers, as from time to time are appointed over me, by His authority, and none other, whilst I live in any of his Maj^{ties} territories; So helpe me God."

⁶ *Records of New Amsterdam*, V. 208-220.

Dutch city court with several papers which outlined the form and named the persons of the new government.¹ By these documents, the governor abolished the offices of schout, burgomaster and schepen, and in place thereof established a corporation governed by a mayor, five aldermen and a sheriff, "according to the custome of England in other his Ma^{ties} Corpora^{cons}." Of these seven new officers, the mayor, Thomas Willett, and two of the aldermen were English, while the others were Dutch. Nicholls further extended this new municipal government throughout all Manhattan Island, and gave the new corporation

" . . . full power and authoritye to Rule and Governe as well all the Inhabitants of this Corpora^{con}, as any Strangers, according to the Generall Lawes of this Governm^t and such peculiar Lawes as are, or shall be thought convenient and necessary for the good and Welfare of this his Ma^{ties} Corpora^{con}; as also to appoint such under officers, as they shall judge necessary for the orderly execution of Justice. . . "

Two days later Nicholls again entered the Dutch municipal court, this time accompanied, as the records say, by "his Hon^r M^r Thomas Willet" and the new officers. One courageous burgomaster objected to the change as contrary to the promise made in the articles of capitulation, but Nicholls speciously argued that he had granted all that the articles provided; for had he not allowed a new election when the terms of the old officers expired in February last? This was all he had promised.²

The new officers entered upon their duties on June 15, 1665; on which day they elected a city constable, made provision for the fencing of the church-yard where hogs had been rooting, and continued in office the Dutch secretary and town sergeants.³ The real changes made by these innovations were more nominal and personal than administrative; in place of the Dutch titles and persons, Englishmen and English corporation titles were substituted; but there was little change in the duties of the officers. The English officers passed local ordinances as the Dutch had done; they elected minor officials, and particularly they established an interesting system of selection from double nominations made by the people of Harlem and the neighboring "farmers;"⁴ they held the municipal courts, tried cases and appointed arbitrators. In all these matters they followed the Dutch precedents, in some cases even extending the Dutch

¹ *Documentary History of New York*, I. 602-604; *Records of New Amsterdam*, V. 248-251.

² See *ante*, p. 695.

³ *Records of New Amsterdam*, V. 252.

⁴ *Ibid.*, V. 345; VI. 4, 15, 92, 150, 184, 207, 296, 361, 374.

methods to new subjects, as when the purely Dutch double-nomination principle was extended to fire-wardens, overseers of highways, militia officers, and even the public draymen.¹ The incumbents of all these offices were given the power, in accordance with the Dutch custom, of nominating a double number of candidates to fill their positions for the ensuing year; and the "election," as it was called, was made by the city authorities from the names thus submitted to them. But while accepting the Dutch practice in many things, the municipal court made one decided change toward English ideas. The old Dutch courts had determined cases either directly by the magistrates themselves, or indirectly by the appointment of arbitrators;² but now within a fortnight of the change in government, the new court established the jury system by the appointment of twelve jurors, who determined both civil and criminal matters.³ Thus, although the jurors were chosen by the court, the grand old English custom of a trial by one's peers was confirmed to the inhabitants of the city.

In the new English municipal government, the only popular feature was this introduction of juries into the courts; and beyond this, the English governor exercised more power over the appointment of the city officers than did the Dutch director. The latter had allowed the existing officers to nominate to him a double number of candidates, but Nicholls did not even allow this liberty; for, when the one year's term of his first appointees had expired, new ones were placed in office without any nominations by people or magistrates.⁴ This continued for three years, until, in 1669, the mayor and aldermen asked the new governor, Lovelace, to select the new officers from a double nomination made by themselves.⁵ This modicum of political privileges was granted by the governor, and until the Dutch reoccupation the governor selected the city officials from such double nominations.⁶ Under the English, therefore, as under the Dutch, there was no popular participation in the city government; and the magistrates appointed inferior officers, passed by-laws, tried petty cases, and admitted freemen.⁷ It was

¹ See references given in preceding note.

² The arbitrators were frequently chosen from among those who had held the office of schepen.

³ *Records of New Amsterdam*, V. 267, 279, etc. This jury system was discontinued by the Dutch during their reoccupation of New York in 1673-1674; but was again put in force by the English after their restoration; *Records of New Amsterdam*, VII. *passim*; *Report of State Historian*, 1897, 286-288.

⁴ *Records of New Amsterdam*, VI. 18.

⁵ *Ibid.*, VI. 88, 144, 200, 201.

⁶ *Ibid.*, 260, 332, 384.

⁷ *N. Y. Col. Doc.*, III. 337; *Penna. Archives*, second series, V. 689.

a combination of the worst type of English municipal corporation with the somewhat redeeming feature of the Dutch double-nomination system; it refused all popular suffrage, as did some of the English city corporations of the day; but the annual change of officers was at least an advance over the close corporations and life-tenure of these municipalities.

The city further retained the trade privileges and monopolies which had been granted to it in the Dutch days. No one could exercise any trade in the city or sell goods at retail unless he were a freeman of the city; only such freemen who had actually resided in the city for three years could trade up the Hudson River; no inhabitants dwelling up the river could trade abroad; no flour or biscuit for export could be manufactured outside of the city; and the city was the *staple* of the whole province, at which "all merchandize was Shipped and unloaden."¹

This form of government continued without material change, except for the fifteen months' occupation of the Dutch,² until the year 1683. In that year, the city officers petitioned the governor for a more democratic government. It was an opportune time for such a demand. Much popular opposition had been aroused to the Duke's rule and to the taxes laid by his officers; and on Long Island, riots, insubordination, and threats of secession from the Duke's government voiced the feeling of the people. Dongan, a newly arrived governor, had, according to his instructions, granted the people a representative assembly; and this assembly, in a charter of liberties, had attempted to give permanent form to the republican system.³ And now, but a few days after the assembly had passed this so-called charter, the city authorities asked for popular representation in their local government. The petition prayed that certain officers should be elected by the freemen of the city, and others appointed by the governor. The city was to be divided into six wards, in which the freemen were to elect yearly their own officers: aldermen, common councilmen, constable, overseers of the poor, assessors, scavengers, questmen, and "other officers usefull and necessary for the said Corporation and Ward."⁴ They asked that the mayor be appointed annually by the governor from among the six aldermen; that the recorder, sheriff, coroner and town clerk

¹ *Ibid.*

² It has not been thought necessary to discuss the period of Dutch occupation, from August, 1673, to November, 1674. The Dutch municipal titles were again adopted; Dutchmen were placed in office; but no great change in municipal functions occurred, and no change was made in the relations of city and governor.

³ *N. Y. Col. Laws*, I. 111-116.

⁴ *N. Y. Col. Docs.*, III. 338-339.

be appointed by the governor, and that a treasurer be appointed by the corporation officers.

Dongan, through fear or favor, granted most of these demands, and in October 1684 the first election under the new plan was held; the six wards each electing one alderman and one common councilman and the governor selecting the mayor from a list of seven names which had been submitted to him.¹ But these privileges were not formally granted in a charter, and hence the mayor, in writing, in 1685, to King James in congratulation upon his accession and giving wishes for a prosperous reign, closes his letter with the hope that the Jerseys will be re-united with New York, and that the King will "Grant to this his City such privileges and Immunitys as may again make it flourish and encrease his Ma^y's revenue."²

At last, by the charter of April 27, 1686, the desire of the city was granted.³ The form of government already instituted by Dongan was changed but little. The elective officers were the aldermen, assistants and petty constables. The mayor and sheriff were appointed annually by the governor; the recorder, town clerk and clerk of the market were appointed during the will of the governor; the high constable was appointed by the mayor, and the chamberlain was chosen yearly by the mayor, aldermen and assistants. The elective officers were to be "chosen by Majority of Voices of the Inhabitants of each Ward;" a most vague provision which later needed legislative interpretation.⁴ The charter also confirmed to the city some of the old trade privileges, and the titles to certain lands, docks and ferries.

Dongan's charter was more democratic in appearance than in practice. Through his appointing power the governor had control of the more important city officials, and the ordinance power of the corporation was limited by the fact that its ordinances were to remain in force only for three months, unless confirmed by the governor and council. Thus the city officers, in writing to King James, in 1687, could well say, "The Governm^t of the whole City is altogether lodged in Yo^r Ma^y and Gov^r." The Mayor, Recorder, Sheriff, Town Clerk appointed by Yo^r Ma^y or Governor, the rest are only

¹ Brodhead, II. 408.

² *N. Y. Col. Doc.*, III. 361.

³ *N. Y. Col. Laws*, I. 181-195.

⁴ The act of May 1, 1702 (*Col. Laws*, I. 490), defined more precisely the qualifications of the suffrage, but it was disapproved by the Queen. The Montgomery charter cleared up the ambiguity (*Col. Laws*, II. 575-639). But other difficulties arose and additional legislation was passed in 1771 (*Col. Laws*, V. 228), and 1774 (*Laws of N. Y.*, 1774-1775, p. 45).

servil Officers appointed by the people."¹ This charter remained in force, without substantial change, until the American Revolution, Montgomery's charter of 1730 making but slight alterations in the city government.

By the year 1686, therefore, the process of formally Anglicizing the municipal government was completed. The English municipal corporation of the seventeenth century, having some elective and some appointive officers, was made the model for the new-world city; and twenty-two years after the English conquest of New Netherland, New York City became, in outward political appearance at least, an English corporation. There still remained the Dutch blood, the Dutch customs, traditions and speech; but from the point of view of formal political organization, New York was now an English city.

Before the English conquest, political conditions on Long Island had been varied. There were three distinct groups of settlements, each developing political habits different from the others. The greater part of the island, extending from Oyster Bay eastward, had, since the treaty of 1650 between the English and the Dutch, been under the control of New Haven or Connecticut; and some of the towns had sent deputies to the General Court at Hartford. The laws and customs of New Haven or Connecticut were established in these towns, and politically, as well as geographically, they formed a part of New England. To the westward of Oyster Bay, and stretching in an irregular strip across the island, were the five English towns under the Dutch jurisdiction. These English settlements had been granted lands and charters of incorporation by Dutch directors, which gave them greater privileges than those enjoyed by the Dutch under the New Netherland government;² but did not leave them so free in local matters as were the Connecticut towns. In the tumultuous years, 1663-1664, these towns had thrown off the authority of the Dutch, and had elected for themselves a President, one John Scott; and claimed to be independent both of New Netherland and of New England.³ Finally, in the extreme western part of the island were the five Dutch settlements,⁴ whose governments were modelled closely after the town-corporation system of Holland.

But a few weeks after the conquest, Nicholls, in the letter already quoted, had promised the English inhabitants of Long

¹ *N. Y. Col. Doc.*, III. 425.

² Stuyvesant says, "The Englishmen enjoy more privileges than the Exemptions of New Netherland grant to any Hollander." *N. Y. Col. Doc.*, XIV. 233.

³ *N. Y. Col. Doc.*, XIV. 542, 544, 547-548, 551-552.

⁴ The five English towns were Newtown, Hempstead, Flushing, Gravesend and Jamaica; the five Dutch towns were Breucklen, Midwout, Amersfoort, New Utrecht and Bushwick.

Island certain political privileges. Naturally the Englishmen who had enjoyed self-government under Connecticut or New Netherland wished to have their rights confirmed by the new English authorities; and, on the other hand, Nicholls was most likely to take up, first of all, the establishment of proper political forms among his fellow-Englishmen. Hence it is not surprising that the first code of laws was limited to the county of Yorkshire, that is, to Long Island, the Bronx peninsula, and Staten Island.

In accordance with his earlier promise, therefore, Nicholls in February of 1665 wrote to the inhabitants of Long Island, reciting the past wrongs under which they had groaned, the "signall grace and honor" which the King had shown in reducing the neighboring foreign power, and his own determination, in discharge of his trust and duty, to call a general meeting at Hempstead, on the last day of February, 1665. The governor ordered that the assembly should consist of "Deputyes chosen by the major part of the freemen only, which is to be understood, of all Persons rated according to their Estates, whether English, or Dutch;" and recommended to the people that in the choice of their deputies they select "the most sober, able and discreet persons without partiality or faction, the fruit and benefitt whereof will return to themselves in a full and perfect settlement and composure of all controversyes, and the propa-gation of true Religion amongst us."¹

The directions of this letter were followed out, and on February 28, 1665, thirty-four deputies, from seventeen towns, assembled at Hempstead. With the exception of two delegates from Westchester, all the deputies represented Long Island towns, both Dutch and English towns sending delegates.² On the day following their meeting, the deputies acknowledged themselves to be within the limits of the patent of the Duke of York, and unanimously declared their submission to all laws which should be made by the Duke's authority.³ This declaration bound them to observe the code of laws upon which Nicholls had been at work, and which now he promulgated in their presence. This code, known as the "Duke's Laws," following the example of the New England codes, was arranged alphabetically according to subject-matter; and its provisions were drawn in very large measure from the laws of Massachusetts and New Haven, copies of which Nicholls had obtained.⁴ And yet, while he took some of the New England laws bodily, Nicholls' code shows some very significant changes and omissions;

¹ *N. Y. Col. Doc.*, XIV. 564.

² *Ibid.*, 565.

³ *Ibid.*, III. 91.

⁴ *N. Y. Col. Laws*, I. 7; Brodhead, II. 66.

alterations, indeed, which changed the essential features of the New England democratic system; and changed materially the government of the English towns on Long Island, at the same time that they gave new laws to the Dutch towns.¹

If the Laws be grouped together according to subject-matter instead of the alphabetical arrangement, they will be found to contain a civil and criminal code, elaborate provisions concerning local government, and a general provincial organization of the courts and the militia. In all of these features there are numerous changes from the New England customs; and in order to appreciate the force of the Dutch influence and of the political ideas of Nicholls, a short comparison of the three codes will be made. The changes which Nicholls introduced fall into three classes; first, the omission of New England features; second, the introduction of Dutch customs; and third, the insertion of wholly new provisions.

Turning our attention to the New England features which were omitted from the Duke's Laws, the most noticeable one is the absence of any general provincial legislative assembly, in which the people are represented. Nicholls had promised privileges to the people at least as great as those of the New England colonies; but now, although the towns demanded that taxation and representation should be united,² Nicholls made no provision whatever for an assembly. As the Laws are altogether silent upon the subject of general legislation, that power remained vested in the Duke's governor and his council, almost as fully as it had previously resided in the West India Company's director and council.³ The governor chose, indeed, to associate with himself in legislation the members of the court of assizes, but this did not answer the popular appeal for an

¹ The comparison which follows is based upon the New Haven printed code of 1656, the Massachusetts printed code of 1660, and the two copies of the Duke's Laws, known as the Easthampton and Roslyn copies. New Haven's laws were published in London, 1656, entitled, *New-Haven's Settling in New-England. And some Lawes for Government: Published for the Use of that Colony*; and have been reprinted in *New Haven Colonial Records, 1653-1665*, p. 571 ff. The Massachusetts code, printed at Cambridge, 1660, is entitled, *The Book of the General Lawes and Libertyes Concerning the Inhabitants of the Massachusetts*. . . . The best edition of the Duke's Laws is that in Volume I. of the *Colonial Laws of New York*, which gives the Easthampton and Roslyn variations; they may also be found in *New York Historical Society Collections*, I. 307, and in *Laws of the Province of Pennsylvania, 1682-1700*.

² Instructions to Southold deputies to the Hempstead meeting, given February 22, 1663. They are directed to ask "That there be not any Ratte, Levy or Charge, or money raised but what shall be with the consent of the major part of the deputies in a General Court or metting." *Southold Town Records*, I. 358-359.

³ See the demand of the town of Easthampton for an assembly, and the efforts to obtain concerted action on the part of the eastern towns of Long Island, *Easthampton Town Records*, I. 241.

assembly,¹ and reproduced very inadequately the strong representative system of England and New England.

In local legislation, a change was made which corresponded to the omission of the general assembly in provincial affairs. The Laws abolish the town-meeting as a part of the local administrative system, and in its place put an elective constable and board of overseers;² who are given the power to pass local ordinances, enforce them and try cases arising under them. The provision of the Massachusetts code permitting towns to elect selectmen and thus relieving the town meeting of minor matters, is made compulsory in the Duke's Laws, and the constable and overseers are invested with the local administrative powers which the whole community exercised in New England. It is interesting to note with what a slight alteration in phraseology the change from the pure democracy to the representative system is made. The text of the three codes is as follows :

Duke's Laws.

Massachusetts, 1660.

New Haven, 1656.

"Whereas in particular Townes many things do arise, which concerne only themselves, and the well Ordering their Affairs, as the disposing, Planting, Building and the like, of their owne Lands and woods, granting of Lotts, Election of Officers, Assessing of Rates with many other matters of a prudentiall Nature, tending to the Peace and good Government of the Respective Townes the Constable by and with the Consent of five at least,

"Whereas Particular Townes have many things which concerne only themselves, and the Ordering their own affaires, and disposing of business in their own Town. It is therefore Ordered, that the free-men of every town, with such others as are allowed, or the Major part of them, shall have power to dispose of their own Lands and woods, with all the Priviledges and appurtenances of the said Townes, to grant Lotts, and also to chuse their

"Whereas the Free-men of every Town, or plantation, within this Jurisdiction, have in sundry particulars liberty to make Orders among themselves, as about Fencing their Land, ordering or keeping their Cattel, or Swine, &c. as may best suite with their own conveniency: It is by this Court Ordered, That if any cattel," etc. *New Haven Colonial Records, 1653-1665, p. 604.*

¹ In some cases Nicholls promulgated changes in the laws, and afterwards had these alterations ratified by the Court of Assizes; *Report of State Historian of N. Y., 1896, p. 303.* In 1675, after the Court of Assizes had been fully organized, it was attended by the governor, three councillors, three aldermen of New York City, four justices from each of the three ridings of Yorkshire, two from Albany, one from Schenectady, two from Esopus, and the sheriff from the Delaware; making twenty-five in all. *Report of State Historian of N. Y., 1897, 387 ff.*

² The term "town-meeting" occurs four times in the laws, but in each case it means the meeting of the constable and overseers, and not a meeting of the towns-people. In two of these cases, the court of assizes took pains to change the term to town-courts. *N. Y. Col. Laws, I. 80, 82.* See also *Memorial History of the City of New York, I. 316, 328.*

of the Overseers for the time being, have power to Ordaine such or so many peculier Constitutions as are Necessary to the welfare and Improvement of their Towne; Provided they bee not of a Criminall Nature, And that the Penalties Exceed not Twenty Shillings for one Offence, and that they be not Repugnant to the publike Lawes; And if any Inhabitant shall neglect or refuse to observe them The Constable and Overseers shall have power to Levie such fines by distress." *N. Y. Col. Laws*, I. 63.

own Particular Officers, as Constables, Serveyors for the High-ways, and the like annually or otherwise as need Requires; And to make such Lawes and Constitutions as may Concerne the Welfare of their Town. Provided they be not of a Criminall, but of a prudentiall Nature, and that their penalties exceed not twenty shillings for one Offence, and that they be not Repugnant to the publick Lawes and Orders of the Country. . . .

"2. And every Township hath power to chuse yearly or for less time, a convenient number of fit men to order the planting and prudential affairs of their Townes according to instruction given to them in Writing, provided nothing be done by them, contrary to the Laws and orders of the Country. . . ."

Book of General Laws, 1660, p. 75.

Comparing Nicholls's code with the Massachusetts laws, the governor appears desirous to keep as many *words* of the original as possible, while in fact he was changing vitally the real principle of the New England town system.

One of the strongest features of the New England political systems was the matter of freemanship, which had been introduced into their practice by the corporate nature of their local and provincial governments. This fiction of freemanship, copied from the customs of English municipal and trading corporations, received a far wider application in the colonies than had been dreamed of in England. Through it the political and religious oligarchy of Massachusetts had been maintained; by it objectionable persons had been excluded from local and provincial affairs in Connecticut; and

in New Haven it was the mainstay of the theocracy. The exclusive nature of the freemanship in Massachusetts had led to a long contest with King Charles II.; and Nicholls, whom we see in New York legislating for the Duke of York's province, was also associated by the King with three other commissioners to investigate the general conditions of the New England colonies and institute needed reforms. One of the principal subjects assigned to these commissioners was the extension of the suffrage and the abolition of exclusive freemanship.¹

Nicholls's instructions from the King and his personal knowledge of the principle respecting freemen in New England must have influenced him when framing his legislation; for, although the term freeman occurs scores of times in the New England laws,² it is most sedulously erased from the Duke's Laws; and even the allied subjects of residence and admission of inhabitants are omitted from the New York code. The Massachusetts and New Haven laws forbade a man's taking up residence in a town without the consent of the local officers or the town-meeting; but this method of admission was in principle akin to the New England principle respecting freemen, and it, too, was ignored by Nicholls. In addition to fostering political and ecclesiastical intolerance, the New England freemanship, whether of province or town, was opposed to the powers granted by charter to the Duke of York.³ Finally, Nicholls had the New Netherland custom on his side, for Stuyvesant, five years before this, had said that the admission of new inhabitants was not a subject for local determination, but belonged to the central authority.⁴ Thus there appear ample reasons for the absence of the subject of freemanship; Nicholls's own experience in New England, the royal instructions, the Duke's charter and Dutch custom were all opposed to the exclusiveness of the New England corporations; and in this feature, as in some others, the innovations of the New York governor were steps toward greater freedom.

¹ See *N. Y. Col. Doc.*, III. 51-54, 57-63, 84, 110-113; *Records of Massachusetts*, IV. pt. II., pp. 129, 173-174, 186 ff., 200-211, 218 ff.

² The word *freeman* does occur once in the Laws, but in that case it has the meaning of *free man*, *N. Y. Col. Laws*, I. 36. The words *freeman* and *freemen* are used twenty-five times in the New Haven laws, and fifty-five times in the Massachusetts code.

³ By the Duke's charter he and his heirs are given power "to admit such and so many person and persons to trade and traffique unto and within the terrytoyes and islands aforesaid and into every and any part and parcell thereof and to have possesse and enjoy any lands or hereditaments in the parts and places aforesaid. . . ."

⁴ "None of the Townes of N. Netherlands are troubled with Inhabitanee, the which doe not Lyke her or her Magistrates, beinge reserved that they doe not admitt any Inhabitanee without approbation and acknowledgement of the Director Generall and Counsell . . . " *N. Y. Col. Doc.*, XIII. 211.

New England narrowness was avoided also in the treatment of the whole question of religion. The Duke's code imposed no religious qualifications upon voters or office-holders; and it omitted altogether the title "Heresy" which occupied such a prominent place in the New England laws. Instead of the religious uniformity to which the Puritans aspired, the new laws provided for religious toleration: "Nor shall any person be molested, fined or Imprisoned for differing in Judgment in matters of Religion who professes Christianity." Nicholls also pruned out of his models practically all the Puritanic and Sabbatarian legislation which they contained, and at the same time retained the popular election of ministers and the compulsory payment of tithes for church support.¹

If Nicholls advanced individual liberty by rejecting the religious system and the freeman-principle of New England, the same cannot be said of another omission. It would have been well for the colony if the governor could have introduced the educational system of New England; and yet, perhaps, this was impossible. Economic and racial differences existing in New York would have interfered with the successful establishment of schools and colleges. The solidarity of New England society found no parallel in New York. In place thereof, we see various nationalities, many sects, and feudal ranks, all tending to mark off society into distinct classes. In such a population, an immediate erection of a public school system similar to that of Massachusetts was impracticable.²

As the following extracts show, Nicholl's provision for education was in most vague terms, omitting the subject of schools, and not even mentioning instruction in reading. For unruly conduct on the part of the child or servant, the Duke's Laws punished the child, while New Haven and Massachusetts held the master or parent responsible and punished him for the waywardness of his child or servant:

¹ The diversity of sects in New York, and the toleration which followed from that diversity, were not unmixed blessings from the spiritual point of view, as the following quotation shows:

"Every Town ought to have a Minister. New York has first a Chaplain belonging to the Fort of the Church of England; secondly a Dutch Calvinist; thirdly a French Calvinist; fourthly a Dutch Lutheran. . . . Here bee not many of the Church of England; few Roman Catholicks; abundance of Quakers preachers men and Women especially; Singing Quakers; Ranting Quakers; Sabbatarians; Antisabbatarians; Some Anabaptists some Independants; some Jews; in short of all sorts of opinions there are some, and the most part of none at all." Governor Dongan's description in 1686, *N. Y. Col. Doc.*, III. 415.

² The Massachusetts code discusses the subject of education under three heads, "Children and Youth," "College," and "Schools," giving to these titles three pages out of a total of eighty-three. The New Haven code treats of education under the title "Children's Education," taking one page out of a total of fifty; while the Duke's Laws give the matter only one-third of a page in a code comprising sixty-four pages.

Duke's Laws.

"The Constable and Overseers are strictly required frequently to Admonish the Inhabitants of Instructing their Children and Servants in matters of Religion, and the Lawes of the Country, And that the Parents and Masters do bring up their Children and Apprentices in some honest Lawfull Calling Labour or Employment. And if any Children or Servants become rude Stubborne or unruly refusing to hearken to the voice of their Parents or Masters the Constable and Overseers, (where no Justice of Peace shall happen to dwell within ten miles of the said Town or Parish) have power upon the Complaint of their Parents or Masters to call before them Such an Offender, and to Inflict such Corporall punishment as the merit of their fact in their Judgment shall deserve, not exceeding ten Stripes, provided that such Children and Servants be of Sixteen years of age."

N. Y. Col. Laws, I. 26.

Massachusetts, 1660.

"Forasmuch as the good education of children is of singular behoofe and benefit to any Common-wealth, and whereas many parents and masters are too indulgent and negligent of their duty in that kind. It is ordered that the Select men of every Town in the several precincts, and quarters where they dwell, shall have a vigilant eye over their brethren and neighbours, to see, first that none of them shall suffer so much barbarism in any of their families, as not to endeavour to teach, by themselves or others, their children and apprentices, so much learning as may enable them perfectly to read the english tongue, and knowledge of the Capital laws: upon penaltie of twenty shillings for each neglect therein. Also that all masters of families, do once a week (at the least) catechise their children and servants in the grounds and principles of Religion, and if any be unable to do so much; that then at the least they procure such children and apprentices, to learn some short orthodox catechism without book, that they may be able to answer unto the questions, that shall be propounded to them, out of such catechism by their parents or masters or any of the Select

New Haven, 1656.

"Whereas too many Parents and Masters, either through an over tender respect to their own occasions, and businesse, or not duly considering the good of their Children, and apprentices, have too much neglected duty in their Education, while they are young, and capable of learning, It is ordered that . . . all parents and Masters, doe duly endeavour, either by their own ability and labour, or by improving such Schoolmaster, or other helps and means, as the Plantation doth afford, or the family may conveniently provide, that all their children, and Apprentices as they grow capable, may through Gods blessing, attain at least so much, as to be able duly to read the Scriptures, and other good and profitable Books in the English tongue, being their native language, and in some competent measure, to understand the main grounds and principles of Christian Religion necessary to salvation. And to give a due Answer to such plain and ordinary Questions, as may . . . be propounded concerning the same . . ."

[If the law be not observed by any parent or master, after three months' warning, a fine of ten shillings to be levied upon him; a

men, when they shall double fine if no improvement in three months; and at the end of the third term of three months, an increased fine may be levied or the child taken away from the parent or master.] *New Haven Colonial Records*, 1653-1665, p. 583.

call them to a tryall, of what they have learned in this kind. And further that all parents and masters do breed and bring up their children and apprentices in some honest Lawfull calling, labour, or employment, either in husbandry or some other trade, profitable for themselves and the Common-wealth, if they will not or cannot train them up in learning to fit them for higher employments. . . .

[If parents and masters refuse to obey this law and to train up their children and servants properly, the children and servants may be taken away and given to those who will more strictly enforce this law.] *Book of General Laws*, 1660, p. 136.

Passing by many minor omissions, we may, in the second place, look at the Dutch customs which were introduced by Nicholls into his code. The most patent feature which the governor was forced to adopt was the Dutch religious toleration. In his instructions,¹ he had been cautioned to respect colonial religion, and in the articles of capitulation at the surrender of New Amsterdam, Nicholls had promised the Dutchmen liberty of worship and church discipline.² Naturally the Duke's Laws, framed as they were for Dutch and English towns on Long Island, took the only practicable position by accepting Dutch toleration and Dutch religious indifference. Uniformity was impracticable in a population made up of Dutch Calvinists, Dutch Lutherans, English Puritans, Baptists and Quakers and many minor sects. Compulsory church attendance was impossible where churches did not exist, and the people were unaccustomed to regular public worship.³ And strict Sabbath observ-

¹ *N. Y. Col. Doc.*, III, 51-61.

² *N. Y. Col. Doc.*, II, 250-253.

³ *N. Y. Col. Laws*, I, 24.

ance could not be had where Puritan asceticism and Calvinist literalism were lacking. We have already seen that the Puritanic legislation of New England was set aside by Nicholls. A single sentence expressed his care for the Sabbath: "Sundays are not to be prophaned by Travellers Labourers or vicious Persons." The Duke's Laws, indeed, had some positive provisions concerning religion, such as for the erection of a church accommodating two hundred persons in each parish, the induction of ministers into office by the governor, and the collection of tithes. But the essential change made by Nicholls was the legalization of all *Protestant* sects and the substitution of such toleration for the compulsory religious uniformity of the Puritan codes.

Another Dutch custom introduced by Nicholls was the practice of plural nomination and partial retirement in public offices. This was a matter much more peculiarly Dutch than was religious toleration, and much less strongly demanded by local conditions; and yet it was applied by the new governor in a number of instances. It has already been noted that Nicholls was ready to adopt this system in New York City,¹ and his liking for it is shown also in the Duke's Laws.

The system of partial retirement, unused in New England, had been customary in New Netherland, although the method was by no means a rigid one.² The Duke's Laws provided for eight overseers (= selectmen) in each town, four of whom should retire each year. From among the retiring four overseers, there should be chosen annually one to hold the office of constable during the ensuing year. This again savored of the Dutch custom, for the towns, both of old and New Netherland, were accustomed to call upon the "old magistrates," as they were named, for advice and assistance to the new. The plan of Nicholls was an improvement upon this system, for it gave to the voters the right of choosing the best one of the four experienced retiring overseers to serve them in the most important town office. Dutch influence was seen also in the manner in which the two churchwardens in each parish were selected by the constable and eight overseers from their own number.³ It is noticeable again in the selection of jurors from among

¹ See *ante*, p. 700.

² See *N. Y. Col. Doc.*, XIV. 314, 344, 412, 473, etc. The Dutch principle is well expressed in the following words: "It is customary in our Fatherland and other well-regulated governments, that annually some change take place in the magistracy, so that some new ones are appointed, and some are continued to inform the newly appointed." *N. Y. Col. Doc.*, XIII. 196.

³ This was soon changed, however, and church affairs placed in the hands of the whole board of constable and overseers, *N. Y. Col. Laws*, I. 78. This method of choosing churchwardens is similar to that of Virginia, where the vestrymen chose the churchwardens from their own number.

the overseers of the towns, for the Dutch custom had often called upon the existing town magistrates or the former magistrates to assist in the administration of justice, although a regular jury system was not established. More particularly, the determination of petty civil cases by arbitrators, which was a prominent part of the Dutch judicial system,¹ was now incorporated by Nicholls into his new code.²

In the selection of sheriff, the Dutch system of plural nomination is also seen, but the method comes nearer to that adopted four years earlier in Maryland,³ and later established in Virginia.⁴ The High Sheriff for Yorkshire, holding office for one year, was to be chosen in rotation from each of the three ridings of the county. The court of sessions of the riding whose turn it was to select the sheriff, presented three names to the governor; and from this triple nomination the governor chose the incumbent for the ensuing year.⁵ This method of election of sheriff, although abolished at an early date in New York, persisted in other parts of the original territory of the Duke of York for one hundred and seventy years, and the principle of plural nominations was transplanted into the territorial policy of the United States.⁶

The town board of the constable and eight overseers was organized after both the New England and the New Netherland practice. Its legislative activity corresponded, in large measure, to the ordinance-power of the New England selectmen; but with one marked difference, which brought the board closer to the Dutch custom. The New England selectmen possessed only such powers in legislation as were delegated to them by the town-meetings, while the Dutch local courts, on the other hand, had possessed local ordinance power aside from the Director and his Council. In this respect, Nicholls copied the Dutch practice; and followed it even further, in making the constable and overseers a judicial body as well. Thus the elective feature of the local boards of the Duke's Laws was English; the extent of their powers was Dutch.

¹ See *Records of New Amsterdam, passim*.

² *N. Y. Col. Laws*, I. 7, 32, 63. Compare arbitrators in Providence, *Rhode Island Colonial Records*, I. 27-31.

³ *Archives of Maryland*, Proceedings of Assembly, 1637-1664, pp. 412, 451 (1661 and 1662).

⁴ Henning, *Statutes*, III. 246 (1705); V. 515 (1748).

⁵ *N. Y. Col. Laws*, I. 63.

⁶ See the charter granted by Penn in 1701 to Pennsylvania and the Delaware territories; Pennsylvania constitutions of 1776 and 1790 (in force till 1837); Delaware constitutions of 1776 and 1792 (in force till 1831); Northwest Ordinance of 1787, in the appointment of the council; and the same feature by implication in territorial acts of Indiana, 1800; Mississippi, 1800; Michigan, 1805; and Illinois, 1809.

The parallelism of the Duke's constable and overseers to the Dutch local court is still more noticeable when it is remembered that the ordinances of the town boards under the Laws must be sanctioned by the court of sessions, and that under the Dutch, local by-laws must be approved by the director and council at New Amsterdam. An inspection of some of the town-records shows, in certain cases, a carrying out of the provisions of the Laws, and a total cessation of administrative activity on the part of the town-meetings after the Duke's Laws were promulgated;¹ in other cases, the local board and the town-meeting exercised this power jointly;² and in still other cases, the towns almost ignored Nicholls's efforts to shift power from the town-meetings to the constable and overseers.³ In general, it may be said, that the governor failed in his attempt to crush the town-meetings; and although the towns for a time gave up a part of their activity, they soon, in the struggle for popular representation, regained their old powers, and the town-meeting became as important a factor in the attainment of representative principles during the years from 1668 to 1683, as it was in the similar, though broader, struggle just one hundred years later.

The third class of changes instituted by Nicholls in the New England codes which he had before him, included those of a nature foreign to both the Dutch and New England legislation. In some cases they were taken from the precedents of old England, and in others they were entirely new. Among the more important of the latter features was the compulsory renewal of all former land and town grants, and the surrender of the old deeds and patents. This law not only invalidated all old grants, but as it required new surveys and the payment of fees for the new patents, it became a fruitful source of popular agitation and discontent. Of the English features introduced, the most marked are to be seen in the judicial organization. The English life-holding justices of the peace were appointed; the judicial "ridings," the courts of sessions and of assizes, the high sheriffs and the under-sheriffs, all call up similar English institutions.

¹ See *Easthampton* (Vol. I.) and *Southampton* (Vols. I. and II.) *Town Records*; before 1665 legislative activity of town-meeting had been frequent; between 1665 and 1668 there is scarcely any such action; after the latter date, the meetings again become active.

² In Hempstead the town-meeting and local board exercise concurrent legislative power both before and after the Duke's Laws.

³ In Huntington (*Records*, I.) and Southold (*Records*, I.) the bulk of local legislation is done by the town-meetings; there is very little record of ordinance power of the town board.

The most interesting of all these changes is to be seen in the determination of the suffrage. Since the principle of town and provincial freemanship was set aside by Nicholls, of necessity some other test of the citizen's "evident interest" in the government must be found; and naturally, at that time, the test required was the holding of land. Land was cheap; it was easily attainable; and its possession served better than any twentieth-century qualification, to mark off the socially upright man from the criminal and the vagrant. Nicholls had already proposed one principle in his letter providing for the election of delegates to the Hempstead meeting of 1665, "by the major part of the freemen only, which is to be understood, of all Persons rated according to their Estates, whether English or Dutch;"¹ thus making the payment of taxes on property (not poll-taxes alone), the qualification of voters.

In the Laws, four expressions are used in describing the voting class: "householders," "inhabitants housholders," "freeholders," and "Inhabitants freeholders, Housholders." It is believed that all these phrases refer to the same class of citizens;² and that the words "inhabitants" and "householders" are to be taken not in a substantive, but an adjective sense, qualifying the word "freeholders;" and thus the real definition of the voting class would be *inhabiting and housholding freeholders*.³ No statement is made in the Laws of the size of freehold necessary to obtain the suffrage privilege, and perhaps the differences in town settlement and ordinances prevented such a general suffrage qualification. While the practice of the government was not uniform, it usually opposed small freeholds. In

¹ *N. Y. Col. Doc.*, XIV, 564.

² The evidence for this belief is drawn from two sources: (a) the internal evidence of the Laws; and (b) the practice of the towns.

(a) From the Laws. In one place the Laws speak of the election of overseers by the "Housholders," and in another place, by the "freeholders;" and similarly the election of the minister is said to be by "the Inhabitants housholders," and by the "Inhabitants freeholders housholders."

(b) From the town practice. The town records use the words as loosely as do the Laws. For instance in Southampton the phrases occur, "inhabitants or freeholders;" "freeholders;" "freeholders and Inhabitants" (*Records*, II. 279, 295, 305; also I. 135-138 note). In 1672 an election in Hempstead was contested because persons had voted who were freeholders indeed, but held only small tracts, and it was maintained that a man must be not only a freeholder, but a freeholder of a certain number of acres, in order to possess the suffrage (*N. Y. Col. Doc.*, XIV. 667). In 1676, Andros granted a patent to the town officers of Southold, for themselves and "their associats, the freeholders and Inhabitants of the s^d Town" and subsequently these officers state, "All which freeholders we doe fully own . . . to be our onely associats" (*Town Records*, II. 8-12). The last case shows that the town officers believed *inhabitants* to be a qualification of the word *freeholders*; a man must be an inhabitant and a freeholder to be qualified to vote.

³ "He who hath a house in his hands in a town, may be said to be an Inhabitant." *Jacob's Law Dictionary*, London, 1797.

1666 the court of assizes ordered, "Dividing of Towne Lotts, thereby multiplying poor freemen and votes to be rectified by the Sessions :"¹ and in 1680 the governor and council decided that none should have a vote in Flushing unless he possessed a quantity of land equal to that given out in the first town-lot distribution. This decision limited the suffrage to those possessing sixty acres or more in the town.² But this policy was not strictly adhered to, and in another case the decision is in favor of the small freeholder.³ Except in militia elections, where all the soldiers could vote, the possession of land in freehold thus appears to have been required of the voter on local matters, although there was no definite statement of the size of freehold required.⁴

Attention has now been called to the codes from which Nicholls copied, and the changes which he introduced. The code which he framed was drawn from New England, Dutch and English precedents, with some adaptations to the peculiar conditions of Long Island. In political organization, it was much narrower than the New England codes; since it permitted no popular participation in provincial government, and sought to deprive the town-meetings of their authority. In religious toleration it far outstripped the Puritanic legislation. On the other hand, even the small measure of popular government which the code granted was an advance upon the Dutch local government with its systems of double and triple nomination and close corporations. And thus while the Laws brought increased freedom for the Dutch inhabitants, they diminished the privileges of the English. The Dutch appear contented, but for a

¹ *Report of State Historian*, 1896, 341.

² "Whereas the former Constitution of the s^d Towne, at their first settlement, in the year 1654, was in dividing their home Lotts, into 4 acres a piece, then addiōn of six acres, and after that 50 more to each Inhabitant, None for the future shall be esteemed a Freeman of s^d Towne that hath not sixty acres of land within its limitts, besides meadows, . . . and such as shall have the like proporēon of land and no other to be esteemed Freemen for votes in publick or other town matters."—*N. Y. Col. Doc.*, XIV, 751.

³ *N. Y. Col. Doc.*, XIV, 667.

⁴ Attention has been directed in some detail to the word "inhabitant" as used in the Laws, because its use here is similar to the common acceptance of the word in New York local legislation for over a hundred years. During the eighteenth century, the phrase "freeholder and inhabitant" occurs continuously in the provincial laws with regard to local affairs; and although the word "freeholder" is very carefully defined by statute (*N. Y. Col. Laws*, I, 112, 244, 405, 453; IV, 1094) no definition in all that time has been found for the word "inhabitant." The custom under the Duke's Laws shows that it was there regarded as qualifying the word "freeholder," and it is believed that the same meaning is to be put upon the word through the whole colonial period. If this inference were true, the suffrage for the colonial assembly was based on freeholdership, and a man might vote for representative wherever his land lay; in local matters, on the other hand, freeholdership and inhabitancy of the locality were both required of the voter.

generation the English struggled for their "birth-right privileges."

Although the military authority of the Duke was soon displaced by the civil organization in New York City and on Long Island, such was not the case in the outlying settlements on the Hudson and Delaware Rivers. Over ten years passed before a permanent civil government was established at those places. After the surrender of New Amsterdam to Nicholls, the latter sent his representative to receive the submission of the several settlements along the Hudson River. No resistance was met with, and the Dutch were promised their civil privileges and the confirmation of their magistrates. At Rensselaerswyck the patroon was granted all the privileges which he had enjoyed under the Dutch.¹ But in spite of promises, the real authority among the up-river settlements came from the military commanders. The local magistrates, indeed, were still retained under the old Dutch name of "commissaries;"² and the old system of double nominations by the court was continued.³ But the military authorities came into conflict with the Dutch citizens, and special commissioners with large powers were sent up the river to investigate the causes of the trouble,⁴ and in 1669 regulated the affairs of the settlements on the Esopus.⁵ These commissioners appointed the local officers, and took steps for the introduction of the Duke's Laws into these settlements.

By degrees the authority was taken from special commissioners and military commanders, and a government established after the form of the Laws, therefore it was "desird a Copy of the Lawes may be sent them."⁶ In April, 1670, the military provisions of the Laws were enforced, the inhabitants were drilled according to the requirements of the Laws, and "all the Lawes relateing to Military Affaires were read to them."⁷ Over a year passed before any further features of the Laws were adopted. In October, 1671, the governor ordered that the towns on the Esopus should follow, in the administration, the rules of the Laws; that a court of sessions should sit semi-annually on the Esopus, and that appeals might be had from it to the court of assizes at New York.⁸ Many English settlers were now entering the Esopus region, and their presence

¹ Munsell, *Annals of Albany*, VII. 97.

² Munsell, *Historical Collections of Albany*, IV. 390-509 *passim*.

³ Munsell, *Annals of Albany*, VI. 20; *N. Y. Col. Doc.*, XIII. 439.

⁴ *N. Y. Col. Doc.*, XIII. 406-415.

⁵ *Ibid.*, 428-431.

⁶ *N. Y. Col. Doc.*, XIII. 438.

⁷ *Ibid.*, 449.

⁸ *Ibid.*, 459-460.

perhaps made possible the definite establishment of the Laws. After particular features of the Laws had been adopted from time to time, the governor and council finally decided, on June 12, 1673, to enforce all the Laws:

"The Petition from severall of the Inhabitants at Esopus being taken into Consideration, wherein they desire to have the Privilege and Benefitt of Enjoyment of the English Lawes Establishd by his Royall Highnesse and in practice almost throughout all his Territoryes. It is Ordered, that the said Lawes shall bee settled and practiced in the Three Townes of Esopus as in other Places, for the^{wh} they shall receive particular Instructions. In the meantime the Inhabit^{ts} of Marbleton and Hurley have Liberty to make choice in each Towne by a double vote of a Constable and Overseers and return their Names unto the Governour, who will out of them pitch upon the Persons to bee confirmed in that Employment for the ensuing years."¹

It is to be noted that the governor again introduced here the system of double nomination, and in a manner which was not provided for in the Laws.² The contemplated extension of the Laws was interfered with by the re-occupation of the country by the Dutch, but upon the return to the English, Andros was instructed by the Duke to put in force the Laws, except such as he thought inconvenient.³ Accordingly, a few days after his arrival at New York, Andros, by proclamation, declared the Laws in force and directed "All Magistrates and Civill Officers belonging thereunto to be chosen and establishd accordingly."⁴ From this time, there are no further references to double nominations, and it is believed that the provisions of the Laws were literally carried out.

At about the same time that the demand for the surrender of the Hudson settlements was made, Sir Robert Carre was sent to the Delaware territories to receive their submission. Under him the only blood was shed which accompanied the change from Dutch to English authority; but at last, on October 1, 1664, six Dutchmen, for themselves and the other inhabitants on the river, signed articles of capitulation, which corresponded in the main to those already given in New York City and the upper Hudson River

¹N. Y. Col. Doc., XIII. 471.

²The combination of the town government of the Duke's Laws with the double-nomination system of the Dutch, is to be seen also in Harlem. Nicholls granted a qualified town charter to Harlem in 1666, and followed it by a broader grant in 1667. By the charter of 1666, Harlem was granted the "privileges of a Town," but not with the full measure of local government permitted to the towns on Long Island; for the constable and overseers were not selected directly by the people, but by the authorities from a double popular nomination. In other respects the town had the privileges of the Long Island towns. See Riker, *History of Harlem*, 239-255.

³N. Y. Col. Doc., III. 226.

⁴*Ibid.*, 227.

towns; and provided for no immediate change in political organization.¹

The Dutch local government continued under these terms, but always in subordination to the military authority of the English commander on the river. By the orders of the governor and council on April 21, 1668, this dual form of government is well illustrated. The civil government in the respective plantations was to be continued until further orders,² but in case of dispute, the military commander was to call to his assistance five named inhabitants to act as counsellors, and this body, in which the commander had a double vote in case of a tie, was to decide civil cases, and give advice concerning the Indian trade and the arming of the several plantations.³ Furthermore, steps were taken, as was being done on the Esopus at the same time, for the introduction of the Duke's Laws:

"the Lawes of the Governmn' Establisht by his Royall Highnes be shewed and frequently Communicated to the said Councello" and all oth^rs "To the end that being there wth acquainted the practise of them may also in Convenient tyme be established."⁴

Several years passed by, however, and the change to the Duke's Laws was not made. In 1670 and 1671 we find references to schouts and commissaries, who have the duties of the old Dutch officers.⁵

The adoption of the Laws in the Delaware territories came more gradually and much less completely than it did in the upper Hudson settlements. In June, 1671, the governor granted the petition of the inhabitants of Newcastle for civil officers and town privileges.⁶ In November of the same year the militia provisions of the Laws were extended, and it was ordered that the inhabitants "bee digested into severall Companyes as the Townes and number of Men will permitt," and that the officers be elected by the soldiers and commissioned by the governor.⁷

A further extension of the Laws came in April, 1672, when Captain Walter Wharton was commissioned by Governor Lovelace as justice of the peace on the Delaware. Wharton had the power to nominate by himself, or cause to be elected, a constable and two overseers, with whom he was to hear petty civil cases; in the decision of which and in all matters of government he was directed

¹ See *ante*, p. 695.

² *N. Y. Col. Doc.*, XII. 461.

³ *Ibid.*, XII. 462.

⁴ *Ibid.*

⁵ Hazard, *Annals of Pennsylvania*, 380, 383.

⁶ *N. Y. Col. Doc.*, XII. 480-482.

⁷ *Ibid.*, 487.

"to follow and observe the Lawes Establishd in his Royall Highness his Territoryes and to follow such Orders and Directions as from time to time hee shall receive from" the governor.¹ By this time there were at least three local courts on the Delaware; the settlements near Cape Henlopen, called the Whorekill plantation, had retained their commissaries and schout since the Dutch period; the Newcastle settlements had likewise their separate court, although under the shadow of the commander's power; and another court for the Schuylkill settlements had existed in 1660;² but no direct evidence remains that this last court continued its sessions under the English. In 1672 there was, however, a court in existence at Upland (Chester), and it is believed that this was only the old Dutch court, with its place of meeting changed some time during the years 1660-1672 from Tinnicum Island near the Schuylkill to the mainland at Upland (Chester).³ In May, 1672, Newcastle was incorporated by the governor, and the Dutch practices of partial retirement and double nomination introduced into the town government.⁴

The few months' occupation by the Dutch in 1673 and 1674 had little effect upon political development on the Delaware. The three courts were continued, and four magistrates for each selected by the governor and council from a double nomination by the "inhabitants."⁵ Upon the restoration of the country to the English, Andros issued orders for the reinstatement of the officers who had held commissions when the Dutch took possession.⁶ The commissaries, or magistrates of each of the local courts, were directed to cause an election of constables.⁷ In the following spring, May, 1675, Andros visited Newcastle and held a special court. And at

¹ *N. Y. Col. Doc.*, XII. 495.

² *Ibid.*, 311.

³ Hazard, *Annals of Penna.*, 398. Upland Court Record, *Memoirs of Hist. Soc. of Penna.*, VII. 31. Mr. Armstrong, the editor of the Record, believes "that the earliest tribunal under English sanction, within the limits of what is now the state of Pennsylvania, held its sittings at Upland, since called Chester." He does not ask the question of the fate of the court at Tinnicum Island, nor whether it persisted under the English, nor whether it were merely moved from Tinnicum to Upland. So far as I know, the documents of the period are silent on this point.

⁴ *N. Y. Col. Doc.*, XII. 496. The officers of the "Balywick" were to be a bailiff (called "a Bailey"), and six assistants. Four of the assistants were to retire annually and others were to be chosen in their stead; the bailiff was to be chosen by the governor from a double nomination made to him. A sheriff was to be appointed for the corporation and the whole river by the governor from a similar nomination. In none of these cases is mention made of the method of election or nomination.

⁵ *N. Y. Col. Doc.*, XII. 508.

⁶ *Ibid.*, 513; the old bailiff, Peter Alricks, was especially excluded from this reinstatement.

⁷ *Ibid.*, 514.

last the final step in the establishment of English laws on the Delaware came in an order from the governor, dated September 22, 1676.

"Whereas upon a petition of the Magistrates and officers of New Castle and Delaware River, Governor Lovelace did resolve and in part settle the Establish^d Lawes of this Government and appoint some Magistrates under an English Denominaⁿ accordingly. In the which their having been an obstruction for reason of the late warres and Change of of Government; And findeing now an absolute necessity for the well being of the Inhabitants, to make a speedy settlement, to bee a generall knowne rule unto them for the future, Vpon mature deliberation and advice of my Councell, I have resolved, and by vertue of the Authority derived unto mee, doe hereby in his Ma^{ties} Name Order as followeth.

"1. That the booke of lawes Established by his Royall Highnesse, and practiced in New Yorke, Long Island, and Dependences bee likewise in force, and practiced in this River and Precincts, Except the Constables Courts, Country Rates, and some other things peculiar to Long Island, and the Millitia as now Ordered to remaine in the King, but that a Constable in each place bee yearly chosen for the Preservaⁿ of his Ma^{ties} Peace with all other Power as directed by the law."¹

The order then went on to recognize three courts, at Whorekill, Newcastle and Upland, to be composed of the justices of the peace, and having criminal jurisdiction, and civil jurisdiction up to the value of twenty pounds; and possessing the power to make by-laws for their respective districts, not repugnant to the laws of the government. A sheriff was to be appointed for the whole Delaware territory. Taxes could be levied, except in extraordinary emergencies, only with the consent of the governor.

The frame of government thus established differed in large measure from that which had been formed for Long Island. No provision is made for town-meetings either by the constable and overseers, or by the inhabitants; and it is certain that no town-meeting, in the New England sense of the term, was ever held by the inhabitants on the Delaware under this order.² The only elective officers provided for were the constables, and in one instance, at least, even the constable was chosen by the court, and not elected by the people.³ The militia officers were not elected by the soldiers, as on Long Island and in New England, but "to remain in the King," *i. e.*, appointed by the governor. The sheriff was appointed

¹ *N. Y. Col. Doc.*, XII. 561-563.

² E. R. L. Gould, in *Johns Hopkins University Studies in Historical and Political Science*, I. 3: 27, implies that the New England town system was introduced into Pennsylvania by this order of Andros. There is absolutely no documentary proof for this view, and the facts given above show that the system actually established was widely different from the New England, or even the Long Island custom.

³ Upland Court Record, *Memoirs of Hist. Soc. of Pa.*, VII. 184.

by the governor also; and the magistrates of the three courts were commissioned by the governor, for "one year . . . or till further order."¹ In actual practice, the magistrates often held their offices for more than a year; the justices of the Upland court were first commissioned on September 23, 1676, and their commissions were not renewed until June 8, 1680.² In other cases a shorter time passed before renewal.³ As these courts were the local legislature and judiciary, and the sheriff their executive, it will be seen that this system had little of the elective and popular features of the Long Island laws. On Long Island each town had its overseers, exercising local legislative and judicial powers, and elected by the town-meeting; the constables and other local officers were elected by the same body; all soldiers had a voice in the election of militia officers; and the town-meetings, although not authorized by law, actually exercised large legislative powers. Of these various popular features, only the election of the constable was introduced into the Delaware region, and it is doubtful if that election was performed by the inhabitants. All other matters were left to the courts.⁴

The change which was accomplished, then, by the introduction of the Duke's Laws on the Delaware, was very slight. The three courts were maintained and their powers enlarged and more carefully defined. The criminal and civil provisions of the Laws, and the fees there established, were to guide the justices upon the Delaware. But the main political and military features were not extended. No stronger proof of the slightness of the change could be found than the fact that over two years passed before a copy of the Duke's Laws was sent to the Newcastle court, although it had frequently petitioned the governor for a copy.⁵ In course of time, other courts were organized upon the Delaware,⁶ and some efforts were made to establish a general court, perhaps similar to the assizes in New York, which should have legislative and taxing power for all the Delaware settlements, but this plan was not favored by the governor, and during the remainder of the period of the Duke's government, the

¹ *Upland Court Record*, 38.

² *Ibid.*, 37; 165.

³ *N. Y. Col. Doc.*, XII. 635; *Penna. Archives*, second series, V. 684-685, 690, 699, 704, 706, 718.

⁴ See *Upland Court Record*, p. 184-185, for appointment of overseers of highways by court. Also *N. Y. Col. Doc.*, XII. 606, 650 for two instances of nomination of magistrates.

⁵ *N. Y. Col. Doc.*, XII. 576, 581, 590, 606, 608; *Penna. Archives*, second series, V. 697, 706.

⁶ *N. Y. Col. Doc.*, XII. 610, 635; Hazard, *Annals*, 472.

separate courts were retained, with no general sessions for the whole territory.¹

It will be seen from these few facts that the political development of the Delaware settlements from the times of the Dutch until the establishment of Penn's and Markham's "frames," was continuous. There was no attempt to force New England customs upon the inhabitants; and if the effort had been made it could not have succeeded. The English simply continued the local courts of the Dutch, and as the population of the settlements increased, the power and authority of the courts developed. The three divisions of the river settlements appeared at an early period; they were adopted as the basis for the jurisdiction of the Dutch courts; and upon them at a later day the county court system and county organization of Pennsylvania were based.

We have now made the circuit of the territories taken by the English from the Dutch, and have noted the manner in which the Dutch and English institutions acted upon each other. We have seen English governors placed over a population made up of Dutch, Swedes and English; we have watched attempts to transplant New England institutions bodily into New Netherland; and we have followed English officials, who with definite English political experience in mind, have come into contact with Dutch practices. The outcome is an interesting one, and naturally one which is a resultant of the several forces at work. Dutch, English and New England elements are seen in the result, combined with new features derived from the peculiar conditions of the country. The product is not altogether Dutch nor altogether English, much less is it drawn entirely from New England.

The degree to which the several elements entered into the ultimate constitution was determined, among other causes, by geographical conditions, and principal among these conditions was the grouping of population according to nationalities. English forms and New England practices were introduced first into Long Island, where the population was overwhelmingly English by race and attached to New England by sympathies. In New York City, on the other hand, in spite of a large influx of Englishmen, the Dutch practices of local government, if not the titles of officers, were retained until 1653, and not entirely abandoned after that date. Up the Hudson we have noticed a gradual extension of the English laws, which was accompanied by the entrance of many English settlers into the river lands. On the Delaware, the English institutions were more largely influenced by the Dutch and Swedish cus-

¹ *N. Y. Col. Doc.*, XII. 564, 575, 581, 591.

toms than anywhere else, and here, also, the English settlers, until Penn's day, were fewest in number.

Other conditions, too, prevented the entire establishment of English laws. A town-meeting in New York City, with all its mingled races and languages, would have been an absurdity; and this cosmopolitan character of the population required a representative or centrally administered municipal government. On the Delaware, where the settlers were scattered over large farms, the town-meeting and town activity were impossible. Again, policy required a toleration of all religions where no one sect was in the ascendancy, and Dutch practice furnished a good precedent for this. Thus, local conditions often forced the adoption of policies variant from Dutch, English or New England practices.

Finally, the Dutch features which were retained for a time, or permanently, may be noted. The Dutch centrally organized provincial government without popular representation was maintained for almost twenty years; the Dutch principles of double or triple nomination and partial retirement are seen in the county and town government; the judicial powers of the constable and overseers had a Dutch parallel; the county system on the Delaware was a development from earlier Dutch customs; some features of Dutch land-tenure persisted upon the patroon estates; the exclusive trade-privileges of New York City and its principle of municipal freeman-ship were retained from Dutch days; and Dutch religious toleration gave a precedent for the later religious freedom, although it must not be taken as the sole cause of that liberty.

ALBERT E. MCKINLEY.

DOCUMENTS

1. Letters of Dr. Thomas Cooper, 1825-1832.

MR. WILLIAM NELSON, JR., Corresponding Secretary of the New Jersey Historical Society, and the possessor of the papers of Mahlon Dickerson, has extracted from that collection the following letters of the famous Dr. Thomas Cooper, which he has kindly permitted the REVIEW to use. Dickerson, an eminent Democratic politician of New Jersey, was a senator of the United States from 1817 to 1833, and these letters are, with one exception, addressed to him at Washington. In some respects they have a close relation to the correspondence which forms the second group of documents in the present issue of the REVIEW, and they might have been classed with them; for they cast light on that stage of South Carolina politics, previous to 1828, when Calhoun was still reckoned among the nationals and conservatives, and when the line of cleavage in state politics ran between him and his friends Hamilton and Hayne and McDuffie on the one hand, and the extremer state-rights men led by Judge Smith on the other hand. But on the whole the main interest of these letters lies in their relation to Dr. Cooper's petition for the restoration of the fine inflicted upon him by Justice Chase in 1800, under the Sedition Act, on account of a newspaper libel on the President, and in their characteristic exhibition of the traits which so strongly marked Cooper himself, the "learned, ingenious, scientific and talented madcap" of John Adams's pungent phrase.

After his brief and eccentric career as a Pennsylvania judge, 1806-1811, and after a brief service as professor of chemistry in Dickinson College and in the University of Pennsylvania, Cooper was in 1819 elected to the same chair in the South Carolina College, and in 1820 became its president. This was the position which he occupied at the time when these letters were written. There seems to be no question that, with his extraordinary acquirements, energy and versatility, he was a most stimulating and effective teacher, and left a permanent mark upon the intellectual life of the institution. But his heterodoxy in matters of religion, set forth with characteristic aggressiveness and pugnacity, aroused so much excitement and indignation in the state, that he was put

upon his trial by a resolution of the South Carolina House of Representatives, passed December 7, 1831, "That in the opinion of this House it is expedient that the board of trustees of the South Carolina College do forthwith investigate the conduct of Doctor Cooper as president of the South Carolina College, and if they find that his continuance in office defeats the ends and aims of the institution that they be requested to remove him." This prosecution explains the last letter here printed. Though the board exonerated the doctor, after a brilliant defense on his part, he was forced to resign in 1834 and died in 1840.¹

It was in 1825, apparently, that he began his efforts to secure the repayment of the fine of 1800. His petition of February, 1825, a well-written document,² argued forcibly that there was no libel in the newspaper statements for which he had been prosecuted, and that the Sedition Act of 1798 was unconstitutional. It was referred in the Senate to a select committee, of which Senator Dickerson was chairman, and which reported favorably.³ In 1826 an adverse report was made by the Judiciary Committee of the House.⁴ In 1832, 1834, 1836 and 1838 the Committee brought in a favorable report with a bill for repayment of the fine with interest.⁵ But no restitution was made during Dr. Cooper's lifetime.⁶

1.

COLUMBIA Tuesday 18 Jan. 1825

Dear Sir

I am obliged to Mr Gaillard⁷ for the documents he has sent which are very acceptable.

I sent you the beginning of this month a petition hastily drawn up,

¹ See Dr. Colyer Meriwether's *History of Higher Education in South Carolina*, pp. 143-156.

² It is printed as *Senate Document No. 30*, Eighteenth Congress, second session; in each of the reports mentioned in the third note below; and at the end of Cooper's *Two Essays: 1. On the Foundation of Civil Government; 2. On the Constitution of the United States*, Columbia, 1826.

³ *Senate Document No. 38*, Eighteenth Congress, second session.

⁴ *House Report No. 16*, Nineteenth Congress, first session.

⁵ *Reports of Committees*, No. 244, Twenty-second Congress, first session; No. 473, Twenty-third Congress, first session; No. 303, Twenty-fourth Congress, first session; No. 343, Twenty-fifth Congress, second session.

⁶ It is sometimes said that the fine was repaid to Cooper; but I find no such act of Congress, and in 1847 and 1850 Cooper's executor is still petitioning. *House Report No. 37*, Twenty-ninth Congress, second session; No. 11, Thirty-first Congress, first session.

⁷ John Gaillard, senator from South Carolina, and president *pro tempore* of the Senate in this and several preceding Congresses. The other senator at this time was Robert Y. Hayne. The Carolina congressmen mentioned below were George McDuffie, James Hamilton, jr., Joel R. Poinsett, Joseph Gist, Starling Tucker, and John Wilson.

owing to my expecting you w^d write to me if the time suited. As I have not heard from you I think it may have miscarried. My consolidation pamphlet¹ has affronted Col. Hayne and M^r Duffie sadly. Nor will my petition be supported by Jackson's friends who go with Calhoun in his views on this subject. However, act as you see fit. In the H. of Representatives, I c^d not trust from our State Hamilton or Poinsett, who are of the Calhoun and Adams politics: and Gist, Tucker, and Wilson are not of standing to take a lead. My Compts to Mr Gaillard. I remain Dear Sir

Yours truly

TH. COOPER.

II.

COLUMBIA South Carolina

Feb. 13. 1826

Dear Sir

I have not yet heard of the two boxes.² A bookseller John Doyle of New York, writes to me that he saw 2 small boxes [direc]ted for me at the former store of Wilder and Campbell [books]ellers at New York who have broken and quitted the store. [He] says he has taken them and sent them on to me. These may or may not be the boxes you were so kind as to send: if you [recol]lect to whom they were consigned in New York, pray write for me to John Doyle Bookseller Park Place New York, and request him to look after them for me.

I have written to Major Hamilton,³ such hints and suggestions as occurred to me, presuming he would communicate them to you. If he has not, pray ask him for my letters; they may furnish some ideas: if not they are soon perused.

Do not let my personal interest in the petition stand in the way [of] any public measure, for a moment. If you can carry any [bil]l or any resolution valuable to the public by giving up my [cla]im, do not hesitate a moment. What I want is, to impress the public out of doors with the absolute necessity of full and free discussion of every question within the range of human enquiry in order to arrive at Truth. The whole doctrine of Libel is in direct hostility with the improvement of mankind. I know of no question so important as the right of free discussion, untrammelled à priori, and subject to no punishment for its exercise. Of course I mean to confine this to *public* questions, and not to give the reins to private slander. But I include political measures as to their motives and tendency, and the public character and conduct of all public men. I include also every metaphysical and theological question. If Error be not brought to the light how can it be confuted? Have [you] looked at Mill's essay on the right of free discussion in [the] Supplement

¹ *Consolidation: An Account of Parties in the United States, from the Convention of 1787 to the Present Period*, by Thomas Cooper, Columbia, 1824.

² Of minerals. In another letter Dr. Cooper says that these boxes "interest me, I believe, full as much as the petition."

³ James Hamilton, jr., M.C., afterward governor.

to the Encyclopaedia Britann[ica].¹ The Westminster Review contains two admirable papers, one on prosecutions for blasphemy, and the other in the 3rd Vol on the doctrine of Libel.²

I am extremely sorry for the acc^t you give me of Gaillard.³ I sincerely hope he may recover.

I suspect Tazewell⁴ is against me on my petition: nor do I count upon Hayne: but I care nothing about it. I am only anxious that in the debate, my friends should take the broad ground of unlimited, unpunishable enquiry, [in] case of public men, public measures, and public questions [of] every description. Adieu. With much kind respect I remain Dear Sir Y^r friend

THOMAS COOPER.

III.

COLUMBIA March 16. 1826

Dear Sir

On Saturday next, Mr Harper⁵ of this place sets out for Washington to supply the vacancy of our deceased friend Gaillard. He is a lawyer; formerly a judge in Missouri; chancellor I think. Idle; not having used industry to lay up a stock of useful information; unknowing as I think in political questions; a prodigious admirer of the late W^m Pitt the british minister (the worst in my opinion that nation ever had) and I think inclined to go all lengths with the administration particularly in favour of internal improvements and against state-rights, provided Calhoun does not lead him. But as Harper's brother in law here, Col. Preston,⁶ is gained over by Calhoun, I think Harper will follow that leader also. In all other respects, I think Mr. Harper has an excellent head, and an excellent heart. I believe he means to oppose our friend Judge Smith, who will be a candidate as I suspect to succeed Gaillard and who is popular enough I believe and hope to carry the election against Harper: Smith's politics are like my own, radical, and therefore I wish him the success which I think he will obtain.

Your proposal to extend the time of prohibition for a twelve month longer than the resolution of the Committee pleased me greatly.⁷ I hope you will persist in, and carry it. I am persuaded that the present attempts to throw the election of President exclusively into the hands of the people

¹ See James Mill's *Essays*.

² *Westminster Review*, II. 1, "Religious Prosecutions," and III. 285, "Law of Libel and Liberty of the Press."

³ Senator Gaillard died February 26, 1826; see Benton, *Thirty Years' View*, I. 77, 78.

⁴ Senator from Virginia.

⁵ William Harper, appointed by the governor, served as senator only till December, 1826, when Judge William Smith, elected, took his place. Harper was afterwards chancellor of South Carolina.

⁶ William C. Preston, afterward senator.

⁷ December 19, 1825, Dickerson proposed a constitutional amendment limiting the re-eligibility of the President; it was then also proposed to prohibit the appointment of Congressmen to federal office during their terms; to which was added, the next day, "and for—thereafter." *Senate Journal*, pp. 46, 54.

is a Consolidation-measure. The election of President according to the principles of our constitution is a State affair, and ought to be managed by the States, and not by the people. Our government is a federal union of States, for foreign and extraneous purposes, and ought not to interfere in any thing domestic that the States separately can manage for themselves. But executive influence is going on so rapidly, that in a few years it will be overwhelming. Your proposal will be one main stoppage to its progress.

I observe Walsh and Niles¹ are attacking J. Randolph. I think his arguments are well calculated to make us hesitate. If a minister is to be sent to the Congress at Panama, I hope his hands will be well tied. If Cuba should be placed in a revolutionary State, it will at present be a black government, and the people of Cuba joined to the rascally tribe of Wilberforce's evangelical reformers, will surrender all the british west indies into the hands of the blacks.

I do not say the blacks are a distinct species: but I have not the slightest doubt of their being an inferior variety of the human species; and not capable of the same improvement as the whites.

Adieu. I remain

Dear Sir

Yr obliged friend

THOMAS COOPER.

IV.²

August 31. 1826 COLUMBIA S. Carolina.

Dear Sir

I have been considering and reconsidering my case with a view to the formidable objection raised by Mr Webster and the government party, that the Legislature have no right to impugn or interfere with a judicial decision. As the Constitution now stands, and under the received construction of it, I think that is the case; and so much the worse for the people who have secured to them by the amendments to the Constitution the empty privilege of petitioning [for] redress of grievances [a H.] of Representatives who have no power [to] give them relief, however flagrant the injustice complained of. The liberties of the Country are given up into the hands of the judiciary to be molded by them at their discretion as a Potter moulds his clay. They are removed *out* of the power of the popular body, *into* the power of a Presidential body.

The only grounds I have to stand upon are,

1st The fine belongs now to the Treasury of the United States. I ask it to be restored, because under all circumstances it is right and proper it should be so. This does not impeach, overturn or alter the decision of the Court. With that I have nothing to do. Let it stand. But like an award of Damages by a Jury, the party to whom damages are given may renounce or restore them without any impeachment of the ver-

¹ Robert Walsh, of the *National Gazette*, and Niles of the *Register*.

² Addressed: "Honourable Mahlon Dickerson, Suckasunny, New Jersey."

dict that awarded them. To this case therefore the objection does not apply. On the 30th of June 1825 Mr Brougham applied for a remission of the fines imposed by the Court on Richard Carlisle for libels, amounting to 1500 £. The fines were remitted in Sep^r without impeaching the Judgement of the Court; upon which no opinion was passed either by the house or the Ministers.

2. Without impugning or alluding to the Judgement of the Court [may] not the house doubt of their own power to pass the act, and therefore remit the fine because they disapprove of the Law passed by themselves without regard to the Judgement of the Court? I ask them to rectify their own mistake, not the mistake of the Court

3^{ly} To doubt of the correctness of a mere *Nisi prius* opinion, not founded on any solemn decision of the Supreme court, never considered here or in England as settling the Law on any question, still less on a question of this manifest importance, is no impeachment of or resistance to the rights of the Judiciary ultimately to pass upon the question. To say that a law is not constitutional, whose constitutionality has never been argued before [the Su]preme court, is not creating any conflict with judicial authority. [Wh]ere will you stop? If a *nisi prius* decision on a point suggested and never argued even at *nisi prius* is binding, would not the objection taken in my Case lie even to an *obiter dictum*—a transitory assertion—a mere suggestion? I contend that the rule of non-interference applies only to those points that have been solemnly adjudged on argument before the supreme court as the tribunal of last resort. To say that the legislature of the Country have no right to give an opinion or express a doubt on the hasty suggestion of a judge in a circuit case, is degrading them before the judiciary power to an extent that can hardly be contended for. But this is my case. The question was not argued before Chase, nor carried up, because the temporary predominance of party feelings at the time, gave little hopes for success, and the expence and trouble of an argument at Washington would be far more grievous than the fine.

4. Where the opinions of the Legislature and the Judiciary are likely to be at variance, the predominant power claimed by the Judiciary ought to [be cle]ar and beyond a doubt: it ought to be claimed not in a dubious but manifest case, and when opposed to the rights of the people as insisted on by the Representatives of the People, it should be construed strictly to be construed reasonably. Under this rule of construction it cannot apply to a mere *nisi prius* decision.

Such are the only expedient arguments I can suggest under existing circumstances. But if the power of the Judiciary be not curtailed, the liberties of the people are gone. To make every class of constitutional authorities subservient to a power under Presidential bias if not controul—placed far above, aloof from the people—who have no point of contact or intercourse, no sympathy with the people—who may commit injuries and give rise to grievances which the people complain of in vain, for they complain to a powerless, prostrated [House] of Representatives—thus to

construe the Constitution, is to make [it] whatever the Judges choose to make it. Look at the caution against the judiciary in General Hamilton's excellent argument in the people v. Crosswell 3 Johnson's Cases 337.¹ When you add to this influence, the sweeping power under General Welfare, and the United States Bank, I am tempted to exclaim C'en est fait de nous.

Yours truly

THOMAS COOPER.

Pray write to me, how stands the motion about the Judiciary in your [house?] Did not Van Beuren introduce some clauses and Rowan some amendments? Who and what is Rowan?² I think Van B. spoke too much like a Lawyer. The fulsome panegyrics on the Sup. Court are not deserved. They are all ultra federalists but W. Johnson, and he is a conceited man without talents.

V.

COLUMBIA Jan. 18 1829

My dear Sir

I am glad you have brought on again your motion. It is in my opinion prudent and honest, and will *check* the extravagances of internal Improvement, if it cannot prevent them.

I hope you have read my essay on Malaria, with your ponds and Shrubberys in full recollection. I do not like them.

I write to introduce to your notice an intelligent and worthy young man, Thomas Jefferson Withers, who is politically all you could wish, saving as to the Tariff. You must allow us in the South, to look through our own coloured Spectacles, and you through yours. It may be a measure gainful to the Middle States, but it will be death to us. However, I have done with it. I shall oppose it no more. I will remove to either Louisiana or the Mississippi territory.³ I should prefer the latter. Here I will not stay. Pray introduce Withers to the Mississippi members that he may make inquiries for me. I live here the life of a Toad under a harrow.⁴ Now and then I get a small box of minerals which cheer me; you cannot conceive at this my second childhood, how gratified I am with these play things. They really add much to my pleasures. I look at my collection every week, with the eyes of a Collector and the feelings of one. Adieu. Will Hamilton bring on the Sedition Law? He is a good fellow, although he be an anti Tariffite like

Your friend and humble Ser^t

THOMAS COOPER.

¹The prosecution of Harry Crosswell, in 1803, for libel on Jefferson; Alexander Hamilton was of counsel for Crosswell.

²John Rowan, senator from Kentucky 1825-1831.

³The reading of this sentence is not quite certain.

⁴Cooper's anti-clerical sentiments and outspoken heterodoxy were making trouble for him in his capacity as president of the college.

VI.

COLUMBIA S. Carolina

Dec. 10. 1829.

Dear Sir

My friend Hamilton having quitted political life, I know not in the H. of Representatives who I could most properly apply to, on the subject of my Petition. Hamilton said he would speak to his Successor, Mr. Barnewell¹: but I never saw that Gentleman, and Hamilton has not written to me whether he applied to him or not. Any of the delegates of our State would do me this service, but I do not chuse to apply to Mr McDuffie; or indeed any of them without consulting you.

I hope you will not forsake this question, and I therefore request of you to choose your own coadjutor in the H. of Representatives. Pray write to me on it. Barnewell is a clever, eloquent young man; but I know little about him.

In this strait, I must depend upon you, as I trust I may. Adieu. I am with all kindness and respect

Dear sir

Y^r friend

THOMAS COOPER.

VII.

COLUMBIA, S. Carolina.

8 Feb. 1830.

Dear Sr.

I thank you for y^r letter. I am glad my friend Davis² embarks in the cause of my Petition, which I leave with full confidence in your hands.

But remember that although 1000 \$ w^d be to me a most convenient windfall at this moment, do not scruple no not for an instant to give up all my interest in the fate of that Petition if it stands in the way of the acknowledgement or establishment of any important principle or resolution as to the right of free discussion, I hope in its fullest extent. I am well aware of y^r inclination to render me personal service, but I w^d not for *any* emolument, disgrace my character by pressing agst the chance of public utility, any private interest of my own. Hamilton knows this was always my language to him. Do you therefore use my petition as an instrument of overturning the rascally imposition on the freedom of the press, which the Adams Dynasty w^d willingly fasten upon it: when my petition throws any difficulty in the way of this public object, throw my petition aside.

I rejoice to hear your works are in such good order and promise. I am neither surprised, nor do I blame y^r adherence to the Tariff, and if any body is to gain by that measure, it will give me great satisfaction to find it at any rate of Service to you.

Let me hear from you now and then.

THOMAS COOPER.

¹ Robert W. Barnwell of Beaufort.

² Warren R. Davis, M. C. from South Carolina.

VIII.

COLUMBIA March 13 1830

Dear Sir

Gen. Hayne wrote to me that he had presented the Report of the Senate in my favour.

I did not take a rec^d from Hall the Marshall. I took for granted that *my discharge from his custody* was a receipt in full; for my sentence of course was, to be committed till the fine was paid.

It happened in this way. Hall called on me in the morning and told me that my term of confinement was ended, and I was free to leave the prison. I answered that I had not yet paid my fine, but expected to pay it that day. He said it was no matter, I might pay it when convenient. We went out together and met Israel Israel. In the street, a few minutes after, the Postman delivered me a letter containing a draught for 400 Dls drawn on Abel Humphrys of South Second Street Phila^a at 2 months. Israel Israel went to him to get him to discount the draught, which being a bitter english federalist he positively refused. I. Israel then went to St. Girard, [who] gave him the money for it without charging discount and I gave [it] to Hall. Probably J. E. Hall of the Portfolio¹ recollects [*illegible*]. But suppose a man on Ca Sa at liberty with consent of the sheriff is not that a [satisfaction of?] the debt?

C^d you not draw up the clause so as to get rid of this objection, if indeed it be one?

Buchanan's support will give me a very good opinion of the man, considering my obnoxious character to the Federalists.

Could you write a note to S. Girard to look in Ap. 1800 for a bill on Abel Humphreys in favour of Th. Cooper for 400 \$ discounted by him? He w^d probably take trouble for you as a Senator that he w^d not for me.²

I feel for y^r loss in that fine woman your niece. But so things are.

I am with many thanks Yr friend

THOMAS COOPER.

IX.

29 March 1830

COLUMBIA.

Dear Sir

I thank you for the bill in my favour. I shall avoid [*illegible*] worms, though I have the bill.

[I] forget the day when I left prison. I have no memorandum about it. [Will] you write for me to St. Girard, and verify his discounting a bill for 400\$ drawn on Abel Humphreys of Philadelphia. I will write to Tho^s Sergeant and get him to go to old Mrs. Hall.³ If my

¹ John E. Hall edited the Portfolio from 1817 to 1827. He was the son of John Hall, U. S. marshal for the district of Pennsylvania.

² At the end of *House Report* No. 244, Twenty-second Congress, first session, Dr. Cooper, in an affidavit dated February 4, 1831, says that he has written to Philadelphia, but can trace no entry of the transaction in the books of Stephen Girard, which, he understands, do not go so far back in his banking transactions.

³ Mrs. Sarah Hall, the marshal's widow, a literary lady, died April 8, 1830.

being at large is not legal proof of the fact, I have no other. Israel Israel who went to Girards and paid the money over to the Marshall is dead. Is it Secretary Van Beuren I am to satisfy? If it depends on him, he will be as scrupulous as legal habits can make him. Pray try and smooth this part of the path for me. I have no doubt St. Girard will remember the whole matter.

I am reviewing Bentham's late work in 5 V. on Judicial Evidence. It is really a most abstruse, but mind-exciting book. It will not be [rea]d; for I find the Hebrew lessons I have been taking these six months [pas]t, not so difficult as Bentham's pages. When I have finished, and can get a few copies struck off I will send you one.

With many thanks Adieu.

THOMAS COOPER.

X.

COLUMBIA Feb. 22. 1832

My dear friend

Hot work I find in your house. What with the Tariff and Van Beuren, the battle waxes hot. I do not care one cent about Janus, but tho' I *do* care about the Tariff, I am content to leave you and our man Hayne to carry on the contest. Where people cannot honestly agree, they must be contented to differ with mutual toleration. But rely upon it, the Tariff of protection will be very [much] of a storm-breeder. I wish it were settled, at the expence of the [time?] bestowed upon it.

Warren Davis, who is a kind and good creature, tho' like myself a sad Nullifier, tells me he has brought on my petition.¹ I hope you will make a handle of it to give us a proper good lecture on the right of free discussion in a republican government. I shall be curious to hear what John Quincy has to say to it. I do not expect it will pass for I am in no respect as yet in the odour of sanctity with the conclave at Washington. I regret your Tariff propensities, excuseable as they are, because they bring you so much in friendly contact with the notion-mongers of yankee-land: they are a race man-ward tarnation twistical; they will be very apt to lead you astray, and put your political chastity in imminent danger. See how readily Webster and Everett with their solemn sabbath-day faces, can go in and out of every political whore-house they meet with, without a change of feature in their unblushable faces. As to Clay, his roguery has a character of honest boldness about it, that makes people ready to forgive a consistent politician with pretensions. However, as you love your honest character, keep aloof from all demure-looking sanctimonious goers astray. Else you may have to lament with Falstaff, Company, villanous company has ruined me, Hal!

I have been lately in correspondence with W^m J. Duane: seeing as how I have very little to do, I take great interest in S. Girard's will and his College, which I greatly fear the Black-coats will contrive by some rascally scheme or other to defeat. You have heard, I suppose, that the

¹ See *House Report* No. 244, Twenty-second Congress, first session, by W. R. Davis of South Carolina.

battle rages furiously between the Ch[urch mili]tant and your humble servant, even to extermination. Bellum [internec]inum. I am not yet conquered, and expect yet to bivouac on the field of Battle. I have no objection to a moral governor of the universe, but how came he in that character to create the Priesthood? Moral! You might as well apply squareness to virtue. I wish I knew how to account for moral and physical evil, and then I should be able to account for malaria, dyspepsia, yellow fever, the plague, cholera, rattlesnakes, mosquitoes and faquirs of all classes and orders, asiatic and european, papist and protestant. Can you tell me for what good purpose that man of the milk of human kindness, John Calvin, was ordered into the world, the counterpart of Ignatius Loyola? Hands off: that's my trick if you please, as the devil said of the dead presbyterian! Thank heaven, when I depart from these gentry in this world, there is no chance of our meeting again in another; else I sh^d have to exclaim tantæne animis celestibus iræ!

I did not send you my "Layman's letter to any Member of Congress" because like other great characters, I thought proper to travel incognito: but I was it seems like the Ostrich, that wise bird that hides its little head in the sand, and being unable to see anything itself, thinks its great backside invisible to all the world. I shall republish my defence,¹ with the Layman's letter annexed for the benefit of all pious presbyterians like General Blair.² Shall I send you a copy? I hope you are not bitten by the black ants: I'm sure not. You are not a man to attend Baptist-immersions at Christmas, or protracted revivals in July. But I vow to heaven, that now a days I do not know who is who; and metaphysician as I am, I do not believe I can tell whats what, Hudibras notwithstanding. When I see a vinegar scowle under the flapped hat of a solemn looking man in black, I cannot for the soul of me associate any thing kindly with it. Do you remember the whites of Ashbel Green's³ eyes when he prayed to half a dozen members of Congress in the early days of our democracy, under good old Stephen Thompson Mason,⁴ whose memory I reverence yet. no: I cannot believe that you fraternize either with yankee politicians or with piety pretending saints. Thank God the new Yorkers are going to turn their Chaplains adrift: they have begun with Parson Wilson for telling truth, and they will go on with the rest for telling lies.

However, à nos moutons: to our business.

My son in law Manners, I hear, is at Washington, under a rolling stone propensity that has impelled him thither. He wants to quit the woods and practice in a city. He is weary of keeping company and holding

¹ *The Case of Thomas Cooper, M.D., President of the South Carolina College, submitted to the Legislature and People of South Carolina, Columbia, 1832.*

² The allusion is to a letter of Gen. James Blair of South Carolina, dated December 17, 1830, à propos of Cooper's *Letter of a Layman*, in which he denounced Cooper as an infidel. The letter is printed in Niles's *Register*, XL. 145.

³ Chaplain of the senate, afterward president of Princeton College.

⁴ Stevens T. Mason, Senator from Virginia, 1795-1803.

soirées with Dryads and Hamadryads. As he is a perfect stranger at Washington (so my daughter tells me) he wants some kind of introduction that will give him the liberty of making inquiries for information. Do you know Dr. Jones of the Franklin Journal [at] Washington? Pray introduce Dr. Manners to him and to Warren D[avis]. I suspect Manners will call on you. Adieu my good friend,

My little Daughter just 12 plays Nina delightfully.

Adieu my good friend.

Yours truly

THOMAS COOPER.

2. *Letters on the Nullification Movement in South Carolina, 1830-1834.*

(First installment.)

THE following letters, illustrating in a variety of ways the nullification movement, have come into the managing editor's hands from various sources. Mr. Edward Spann Hammond of Blackville, S. C., son of Governor and Senator James H. Hammond, has kindly placed at the editor's disposal the letters which Governors Hamilton and Hayne addressed during the crisis to his father, then a young but influential lieutenant of their party, as well as copies of his replies, and a record of a conversation with Calhoun. He has also lent a valuable collection of contemporary pamphlets, which, combined with the considerable collection possessed by the library of Brown University, has helped greatly toward an understanding of the struggle. The letters to Hammond, it may be remarked, are during 1830 and 1831 addressed to him at Columbia; after that, to Silver Bluff or Silverton in Barnwell District. Next in importance are the letters of Hayne to another of his aides, Francis W. Pickens. For these we are indebted to Mrs. J. E. Bacon of Edgefield, daughter of Governor Pickens. The papers once possessed by Governors Hayne and Hamilton, including in the latter case his correspondence with John Randolph of Roanoke, have unhappily perished. General Edward McCrady of Charleston, president of the South Carolina Historical Society, has kindly furnished a copy of a letter from a Union committee, of which his father was a member, to one of the local supporters of that party. For the letters of President Jackson and of Bolling Hall to Nathaniel Macon, possessed by a descendant of Macon, Mrs. Walter K. Martin of Richmond, we are indebted to her and to Professor William E. Dodd of Randolph-Macon College.

It is not doubted that the letters will be thought to be interesting, and to afford a vivid notion of the character of the struggle and

the extent of the resistance planned (the unpreparedness of South Carolina in some respects is made manifest, but that of the United States must also be considered). But the series is too long for one issue of the REVIEW. For want of a better point of division, it has been divided by the date February 1, 1833, the date at which the Ordinance of Nullification was to go into effect. The remaining papers already collected, and perhaps some others, may be expected to appear in the October number.

The reader who wishes to see the same series of events from the point of view of the opposite party, may be referred to Dr. Joseph Johnson's narrative and the letters of Jackson, Huger and Drayton, printed in Stillé's memoir of Joel R. Poinsett, in the twelfth volume of the *Pennsylvania Magazine of History*, and to Grayson's *Life of James Louis Petigru*. For the more general aspects of the struggle, see Houston's *Critical Study of Nullification in South Carolina*.

I. ROBERT V. HAYNE¹ TO JAMES H. HAMMOND.

(Private.)

WASHINGTON, 25th Feb. 1830

Dear Sir.

I have rec^d your letter and will best manifest my friendly disposition towards your enterprise by answering it at once. [You]r objects are honorable, and of vital [im]portance, and you have my best [wis]hes for your success. I agree [wi]th you that our success in the [great?] struggle in which the South [is en]gaged, will in a great measure depend on the *firmness, steadiness, and [tem]per* of our proceedings. Everything [wh]ich looks like unnecessary violence [mu]st have the tendency to create reaction, and yet it is extremely difficult to keep up the public feeling at a proper point, and prevent its boiling over. Men who are suffering, and who are justly indignant at a violation of their rights, can hardly be expected to speak and act with due moderation. Be assured, that a perseverance in the course you indicate as approved of by *your own judgment*, will be attended by the happiest effects. If our friends at home could be induced to base their proceedings on the Virginia Resolutions of '98, I am confident they will carry with them the whole South, and a large portion of the people in other quar[t]ers. acting on any other principle, [we] shall encounter difficulties at ev[ery] step. I shall be glad at all [times] to afford you all the informa[tion] in my power, on matters of public concern, and with my best wishes for your welfare am with great respect your

most ob^t Serv^t

ROB. V. HAYNE.

James H. Hammond Esq.

¹ Hayne was at this time in the Senate. His great speech against Webster had been delivered a month before. Hammond was editing the *Southern Times* at Columbia.

II. ROBERT Y. HAYNE TO JAMES H. HAMMOND.

WASHINGTON, 29th March 1830.

Dear Sir,

D^r. Cooper's letter has been well rec^d here. Its tone of moderation has secured it a favorable reception. I hope and trust he will be equally temperate in all his writings. We have nothing to gain from violence or shocking even the *prejudices* of the people at home or abroad. I do not think I have seen the true spirit better illustrated than in the short article in the *Carolinian*, which I send to you, in place of an exposition of my own ideas. I think with you that no attempt ought to be made to produce excitement among our Citizens. Let the sound doctrine be spread abroad, and let them see and feel the actual posture of our affairs. There are only two points on which I will venture to give you a hint. Our Presses at home ought to refuse to discuss in any way the question of the next Presidential Election. We have questions of our own entirely above that of whether A. or B. is to be our next President. We must not again mix up our complaints with mere party questions. We ought to keep aloof from everything calculated to divide our own citizens.

You ought to keep an eye to all the measures *looking to the distribution of the nat^l funds*, whether by direct appropriation of money, or for Roads and Canals, Schools, Pension Bills, or in any other way,—and every decision in favor of such projects ought to be noticed and condemned. I write *in haste* and can only give you *hints*. I do so in compliance with your request, and have only to add that while I shall be happy to aid you with my advice, I wish of course that my suggestions should be considered as thrown out merely for *your consideration*, and intended merely for your own eye.

With great respect, yours

ROB. Y. HAYNE

J. H. Hammond Esq.

III. JAMES HAMILTON, JR.¹ TO JAMES H. HAMMOND.

CHARLESTON August 24 1830.

It has afforded me Dear Sir the sincerest satisfaction to receive your kind favor of the 21st which gave me the agreeable intelligence that my anxious wishes had been anticipated in a manner so satisfactory and honorable to both parties, through the good offices of the worthy and respectable gentlemen who acted as Mediators between Gen^l Blair and yourself. That his life has been spared for useful and honorable service to the State I sincerely hope, nor can I the less distrust the destiny for which your own has been reserved by the early and powerful exhibition which you have made of public spirit and Talent.²

¹ Major James Hamilton, jr., has been a member of Congress from 1823 to 1829, and was governor of South Carolina from December 1830 to December 1832.

² A pamphlet bearing the title *The Controversy between General James Blair and James H. Hammond, Esq.*, 1830, furnishes the explanation of this allusion. In a let-

I ought to observe to you that the seeming tardiness of my Letter resulted from a misapprehension of the time fixed for the Meeting between Gen^l Blair and yourself. It was reported here that the 28th was the day, which would have afforded ample time for my Letter to have reached its destination, and operated the purpose for which it was designed.

I will thank you to hand the enclosed to Mr. McMonnis, to the publisher of the *S^t Times*. It is the amount of my Subscription in advance for the *Country* paper. I take so many papers, and at present so many are sent to me, that I am constrained to consult the economy of time in reading them, by confining my subscription to those at a distance to the weekly papers. Your own fire is so spirited and well directed that I should be disappointed not to see the *Times* at least once a Week.

The effort of the federal cabal here to put the Collector of the Port³ at the head of the Gov^l of our City will fail, I trust by such a rebuking majority on the side of the *S^t right* party, as will teach Uncle Sam's officers that it is as well for them to eat the bread he provides for them in quiet,—and to let the rest of the Community take care of the liberties and honor of the State.

With my best wishes for your happiness and prosperity, I remain, with much esteem, very respectfully

Your ob^d Svt.

J HAMILTON JR

J. H. Hammond, Esq^r

P. S. I must beg you to present my kind regards to Cap^t Butler.¹ If I had known that he was to have acted as one of your friends I should of

ter to the *Camden Journal*, dated from Washington, May 30, Gen. Blair, a member of Congress from the district in which Camden was situated, expressed warm satisfaction over President Jackson's veto of the bill for the Maysville Turnpike Road, and declared that thus the system of internal improvements was completely thrown overboard, and that, with regard to the tariff, if South Carolina would exercise a little forbearance, all things would come right in a year or two more. Indignant at such moderation, Hammond commented sarcastically upon the letter in his paper, the *Southern Times*. Blair replied with a long letter of defense, ending with calling Hammond a blackguard. Thenceforward the affair went on in the regular course so well described by Touchstone in a well-known passage. Hammond's next article in the *Times* ended with the declaration that "as far as the freedom of the press is committed to us, we shall preserve it, professionally or otherwise, if the General will signify an inclination for it." Blair's next letter to the *Journal* concluded with the statement that he "held himself responsible to any gentleman that felt himself aggrieved by anything that he had written." Hammond sent him a challenge which was accepted, and a meeting was arranged for August 18. The night before, however, the friends of the two arranged a reconciliation. It was agreed that all offensive expressions should be withdrawn, that a personal encounter was unnecessary, and that an amicable adjustment would be honorable to both parties. The *Times* and the *Journal* published the formal pronouncement of the friends, and "the incident was closed."

¹ James R. Pringle, collector of the port of Charleston, was put forward by the Union party as candidate for the office of intendant (= mayor) of the city, and was elected in place of Henry L. Pinckney, editor of the *Charleston Mercury*, on September 6.

² Pierce M. Butler, Hammond's second, afterward killed at Churubusco.

course have directed myself to him, which long and agreeable acquaintance would have fully justified.

IV. JAMES HAMILTON, JR. TO JAMES H. HAMMOND.

CHARLESTON Jan^y 8 1831.¹

My Dear Sir.

On my arrival in the City a few Days since, I had the pleasure to receive your two favors.

The course which you have indicated of watching closely and exposing fully and boldly the proceedings of Congress in the Times appears to me to be eminently judicious, during the session of Congress. after the 4th March we can then begin to say something of our means of redress,—and what is left for S^c Carolina to do for herself.

I hope you have made a final arrangement with Mr. McMonnis and that he agrees to contribute \$500 for your editorial compensation. the remaining \$500 shall be raised in a manner the most delicate and respectful to your own feelings. Your services are of the last importance to the cause and let nothing separate you from the Times. I hope the Telescope will be merged in it, by M^r McMonnis buying the former in, which will be the best mode now of taking it out of the hands of the enemy.

I am exceedingly gratified by your acceptance of the station in my personal Staff as one of my Aids. Do not get your Uniform until you see my general order which will be out next Month, which may make some slight alteration in the uniform. I have to leave the City today for a few Days. on my return we shall move on our State Rights association, and beat to quarters again

With great esteem, Dear Sir,

Very respectfully and truly Yours,

J HAMILTON Jr

To Col. Ja^s H. Hammond
Columbia.

P. S. I have deemed it best in order to stop any slanders of Hay's to remit Gen^l Hayne another fifty Dollars, to pay him, which compleats the \$250 which he was to have received under my contract with Gen^l Green.

VI. JAMES HAMILTON, JR. TO JAMES H. HAMMOND.

CHARLESTON Jan^y 10th 1831.

My Dear Sir

I am just on the eve of my departure from town for a few Days and have only a Moment to observe that I forgot in my last Letter to say that until the adjournment of Congress I think the publication of the Convention Debate may be postponed in the Times for the reasons you very properly indicate.² I would by all means bring out at the end of the

¹ Major Hamilton had become governor on December 9.

² The legislature of South Carolina, in the session which ended December 19, debated warmly the question of calling a convention, such as was actually convened in 1832. The constitution of the state required for such an act a two-thirds vote of both houses; this was not secured. The debate was printed in a pamphlet, Columbia, 1831.

Debate the names of the *yeas* and *nays* on *every resolution*, that we may know as Mr Webster says "*Who is who.*" My best wishes and esteem attend you

Yours very truly and respect²

J HAMILTON JR

Col. J. H. Hammond.

VII. JAMES HAMILTON, JR. TO JAMES H. HAMMOND.

CHARLESTON, Feb^r 5th 1831.

My dear Sir.

Just as I was on the e'Ve of my departure, indeed just about to get into my carriage, your favor reached me. On my return to town, which will be in ten days, I will answer you fully; in the mean time I think you had better advise Mr McMonnis not to incur any expense in regard to the Convention Debate without the guaranty of a sufficient subscription list. After the adjournment of Congress we shall organize our States Rights Association and I hope be able to do something for the press in the Country.

Things go on well at home and quite bad enough at Washington to justify both our opinions and principles.

The Mercury¹ is still sluggish but when Congress wanes to its end we will put a little fire into its columns.

The Tone of the Times is excellent and it is just where it should be. Keep at the helm, keep cool, and take deliberate aim.

My Charleston review will not be before the 1st April. In ten days I shall issue my order for the uniform of my aids. until then do not procure yours and request the other gentlemen to suspend their preparations. My aids are invited to attend the grand Military Ball on the 3^d March. I hope we shall have the pleasure of seeing you.

I send you Judge Huger's Speech, which I have not had time to read.² I remain, My D^r Sir, with esteem

Very respectfully and truly

Yours,

J HAMILTON JR

Col. J H Hammond.

VIII. MEMORANDUM BY JAMES H. HAMMOND.³

COLUMBIA 18th March, 1831.

I called at 7 O'clock this morning, at Judge DeSaussure's to see Mr. Calhoun, the Vice President of the United States. He is on his way from Washington to his residence in Pendleton. On receiving notice of

¹ The *Charleston Mercury*.

² Daniel E. Huger, afterwards a senator of the United States, resigned his position as a judge in 1830 in order to represent St. Philip's and St. Michael's in the General Assembly and speak and act against nullification.

³ A fragment of a journal, written in a commonplace-book of Mr. Hammond's. Letters of Calhoun to him, dated January 15 and February 16, 1831, are printed in the *Correspondence of John C. Calhoun* (A.H.A. 1899, II.) pp. 280, 289.

his arrival in town, yesterday morning, I paid him a visit of civility, and my call this morning was in consequence of a wish wh. he expressed to have some private conversation with me. He was alone, and immediately entered freely into the discussion of the affairs of the Nation. He said that great changes had taken and were taking place now in the political elements and that the course of a few months would exhibit a situation of parties in the country as extraordinary, as it had been unexpected. Genl. Jackson he said was losing the confidence of the Republican party every where, and even Tennessee had to a man sustained him (Mr. C) in the late rupture wh. had taken place between himself and the General. Kentucky was with him,—so was Pennsylvania, and Virginia with the exception of Stevenson and Archer. In fact three fourths of the members of Congress were with him ag^t the President. That he (Gen. J) had deserted all his political positions; he had first intimated he would not be a candidate for re-election, and now was: that he would not appoint members of Congress to office and had done so continually, and in short was as jealous of his military fame, as ever was Othello of his wife and easily played upon with it, by the cunning men by whom he is surrounded. For these reasons he thought confidence of the Republican party in General Jackson very much diminished; and for himself, he had dissolved all ties, political or otherwise, with him and forever. He did not think him as sincere a man, as he once did. With regard to the opposition, Mr. Calhoun thought he could discern a crack in that party also. The Tariff-men were beginning to believe that to push their policy any further would be a desperate movement, that would in all probability destroy the whole of it, and therefore the most reflecting among them were not disposed to support Henry Clay, for fear of his going too far with the system. Mr Webster he thought the only very prominent man thoroughly in favor of Mr Clay. The members from Kentucky had gone home resolved to push the election *against Clay*, tho' not in favor of Jackson. Should they succeed Mr. Clay was gone, and his partizans hating Genl Jackson and Mr Van Buren as they did, would unite upon any man to put him out. They would even take him (Mr. C.) with nullification on his head. (Judge Martin¹ was in the room and heard this expression also). In this state of affairs he thought best for the South to stand uncommitted on the Presidential question and to rally and concentrate her strength in pushing the principles for which she had been of late contending. He then spoke of the three great interests of the Nation, The North, the South and the West. They had been struggling in a fierce war with each other and he thought the period was approaching that was to determine whether they could be reconciled or not so as to perpetuate the Union. He was of opinion that they could. The interest of the North was a manufacturing and protecting one, that of the South Free Trade, and that of the West was involved in the distribution of the lands and Internal Improvements.

¹ William D. Martin, whose term as member of Congress had just expired.

How were they to be reconciled? The West must have some visible appropriations to counterbalance those for the improvement of the Harbours, fortifications &c of the Atlantic States, of which they were exceedingly jealous. And in the distribution of every acre of the public land they felt a deep solicitude. *He would therefore gratify them with a system of internal Improvements.* And here he spoke fully and freely of his opinions on this subject. He said he had always doubted of the Constitutionality of Internal Improvements and that in all his Reports and Speeches on the subject, he had never once committed himself on the Constitutional ground. That he had refused to do so in his Bonus Bill Report, against the wishes both of Clay and Lowndes, telling them that he had his doubts. That he thought he had made that Report in the strictest conformity with the wishes of the President, and was completely thunderstruck when Mr. Madison placed his Veto on it. He told him that if any the slightest hint had been given that neither he nor the administration would have been embarrassed by it. Mr. Madison did it to please Mr. Jefferson! Mr. Calhoun said he had been immediately transferred from Congress to the War Department and had never had an opportunity of vindicating himself from the various charges made upon him on this score wh. he felt himself prepared to do most triumphantly whenever called upon in such a manner that he could come out with propriety. Mr. Clay, he said, had seized upon In. Imp. as a hobby and ridden it to death. Carried it much further than he ever intended to do and made it odious. In fact for the last five years, he said, he had seen that it would not do and had told his friends in Congress that the system, as carried on, must be arrested. Mr. Calhoun proposed to amend the Constitution for the purpose of making these In. Imp. and to make the public lands the great fund to be set apart for that purpose. He did not agree with Mr Hayne in his project of giving those lands away, wh. would at once unsettle the whole landed property of the U. S. Nor did he think as well of Mr. Webster's plan of doling them away by littles to the people, thus constituting them a great gambling fund, for corrupt speculations. The advantages to the South from this system would be very great. By connecting the channels of the West with those to the Atlantic it would bring the trade at once to its point, thro' the Southern States. He spoke of the Union of the Ohio and the Kenhawa wh. would make Virginia one state. Of the trade that would come to Charleston through the Saluda Gap wh. together with a rail-road from that city to Florence on the Tennessee river, and a canal thro' the cape of Florida would make it the great City of the South.¹ The Free Trade System was that of the South and thus would she reap the advantages. He did not dwell upon this latter proposition, but showed that in this manner the interests of the West and South might readily be reconciled. But how was the North to be prevailed on to give up the protecting system? Mr. Calhoun said that he was for direct taxation ulti-

¹ Many letters on the subject are printed in Calhoun's *Correspondence*.

mately, but at present he aimed only at reducing the Tariff down to the Revenue point—about Eleven or Twelve millions per annum, wh. would enable the government to pay the civil list handsomely. He said he was no radical in this and thought the government should be liberal in its constitutional expenditures. The Tariff at this point might be so adjusted as to suit the Northern people better than it did now. The general increase of duty on every article had diminished the profits of each individually by adding to the cost of every thing necessary to the production of each manufacturer. He would propose to single out some of the most important articles and giving them a liberal protection, enhance their profits still further by lowering the duties upon all [or] nearly all the other articles of necessary consumption. He said that the Northern manufacturers, if they took an extended view of things, must look to a foreign market and with that object it would be their desire and their most urgent interest, to cheapen everything in the country but their own peculiar manufactures. Taking this view of it, he thought the Northern people might easily be induced to lower the Tariff to the revenue point and thus reconcile the interests of the North and South. This is a pretty full view of Mr. Calhoun's plan of reconciliation. He thought it practicable—at all events worth trying. If it failed or matters continued going forward as they now did he looked upon disunion as inevitable. And he thought it best, for the system of plunder such as it was now was the most despicable of all possible forms of government. For his part he would not administer the government as it was now operating. He regarded it as a despicable ambition. It would be administering an insolvent estate,—and one, said Judge Martin who had entered the room during our conversation, that would soon have to plead "*plene administravit*." If things could be fixed upon the basis he proposed the government would be strengthened, and regain the confidence of the people. It would prevent the traffic of interests now carried on. In this game the North could beat us. We being the payer and they the receiver they could outbid us with the West and always w^d do it. When I started to come away Mr Calhoun took his hat, and we walked together for some distance. He then hinted pretty strongly that if things went right, he might be placed in nomination for the Presidency next fall. I told him candidly that such a step would be imprudent at this moment both at home and abroad, and should not be thought of at this time. He agreed with me. He said his object was to throw himself entirely upon the South and if possible to be more Southern if possible. In advancing our principles therefore, we should advance him in the only way in wh. he desired to be advanced.

This I believe is a correct outline of the long interesting interview wh. I had with Mr. Calhoun. To many of his projects I could not yield my assent, and his fine theory—if sound and republican—I fear will be found impracticable.

—I dined with Mr. Calhoun to-day at Judge D's and took tea with him at Major Taylor's. He is much less disposed to harangue than usual.

There is a listlessness about him wh. shows that his mind is deeply engaged and no doubt that it is on the subject of the Presidency. He is unquestionably quite feverish under the present excitement, and his hopes.

IX. JAMES HAMILTON, JR. TO JAMES H. HAMMOND.

CHARLESTON May 3^d 1831.

My Dear Sir.

I have had the pleasure by yesterdays Mail to receive your kind favor, and regret that a pressure of business official and otherwise prevents my doing any thing more at present but to acknowledge its receipt.

I had previously been made acquainted by your Letter addressed to me at Columbia at the happy change of auspices which in all probability will keep you in Carolina for a Career I trust of exceptional prosperity and honor. Let me add my most fervent wishes that *yours* may in *all respects* be realized.

I am just preparing for my review tomorrow, and for my departure from the City to attend on the 6th for the same purpose at Strawberry. On my return to town I hope to meet McDuffie and after a full consultation with our friends here we will write you precisely what tone it is deemed most advisable to give to the press. I am fully aware of the great peril of permitting public feeling to collapse because the inference made is that the cause is not worth supporting or the party unworthy of supporting it. We must have a rally on some firm ground and then stand manfully to our arms. The administration at Washington cannot recover from the retreat *precipitate* of the late Cabinet, and consequently Jackson's reelection is placed in such hazard as scarcely to be a probable event. We had better lay too, as the Sailors say, with our Main top sail aback and see our way well ahead before we make sail. In truth it becomes of vast importance to know the true character to be given to this change, whether it is in fact a countermarch from fear or from a profound spirit of intrigue. I would suggest silence on the subject of the new Cabinet until from Hayne, Mc Duffie, and my own knowledge of the individuals we can give you a true Key to the whole movement. Expect to hear from me soon and be assured in the mean time of the sincere esteem and regard with which I am

faithfully and respectfully

Your friend

J. HAMILTON JR.

X. JAMES HAMILTON, JR. TO JAMES H. HAMMOND.

CHARLESTON May 21st 1831.

My Dear Sir.

I have had the pleasure to receive by last evening's Mail your favor of the 16th inst.

Whilst I deeply regret that we must lose your valuable services at the Head of the Times, I am greatly rejoiced that this retirement from your

Post is the result of such a felicitous Cause ; on this event allow me to tender you my heartfelt congratulations. If it were practicable for me to leave Charleston in June, nothing could afford me greater pleasure than to be present at your marriage, but public and private engagements forbid my entertaining such an anticipation.

I trust your retirement however from the Times will be only a short pause in the Career of your public usefulness, and that we shall have you in some even more distinguished and important Station in our party. We shall at least know for any purpose of high service and generous devotion where we have a Man on whom we can rely. You must however as soon after your "Honey Moon" as possible beat to quarters again, as we must make this Summer tell by the efficiency of our efforts in the common cause.

McDuffie received a public dinner on Thursday at the hands of our party, and made a superb and gigantic effort which has struck a damp in the hearts of our opponent[s]. He is staying with me and preparing it carefully and elaborately for publication.¹ We shall have it extensively circulated in a pamphlet form throughout the South. In the excellence of the *tact* which he displayed in adapting his speech to the crisis and the community in which it was delivered, he was almost seemingly inspired. In the course of a fortnight we shall move on our State rights associations and not only attempt to make "Nullification easy" but successful too. I shall be at all times gratified to hear from you and never more than when you tell me that you are prosperous and happy. Believe me, My Dear Sir, ever with esteem

Respect and faithfully yours,

J. HAMILTON JR.

Col. Hammond.

XI. JAMES HAMILTON, JR. TO JAMES H. HAMMOND.

CHARLESTON June 11th 1831.

My Dear Sir.

I have received your kind favor detailing the particulars of your affair with Daniel. I assure you that they are well understood here, as well as the necessity under which you acted. The truth is that no Man who read Daniel's² editorial could have doubted for an instant what course you would have pursued, and I sincerely rejoice that your escape from his pistol has been as signal as the gallantry with which you advanced to its Mouth. I think this incident will put a curb upon him, and that he will see the propriety of maintaining a certain sort of decorum if not justice to our party.

I have seen with great regret the course which Green³ is pursuing towards us and M^r. Calhoun. He will ruin the latter if he is not checked.

¹ *Speech at the Public Dinner, May 19, Charleston, 1831.*

² Editor of the *Telescope*, Union Organ.

³ Duff Green, editor of the *United States Telegraph*.

Green has certainly got into his head, I hope without M^r. C.'s sanction, that by compromising with the Manufacturers that he can be elected. Indeed Green has written me a long Epistle on the subject, holding out the most alluring probabilities of M^r. Calhoun's success and of the willingness of the Manufacturers to compromise with us on the principle of his Speech in 1816. I have replied very explicitly to him that in no shape lot or scot would we be included in the arrangement, that we would take no part in the presidential election and that I was quite sure that M^r. C.'s prospects were as hopeless as his ruin would be certain if he was brought to give his countenance to such a compact. He also civilly asked if we were all crazy at M^r. Duffie's dinner, if we intended to start into open rebellion and insure the empire of the whore of Washington (M^{rs}. E.¹ I suppose). to these civil things my Reply was brief and explicit—That whether we decreed perpetual empire to the W—— of Washington or not, or started into rebellion, we should go on and abate not one jot of our Zeal in the support of our principles, which we would sacrifice to the elevation of no Man on earth. That as for surrendering Nullification, which he kindly recommended, that that this was as impossible as his proposed league between the Nullifiers and the Manufacturers which in itself was as practicable as a confederation between the Poles and the Cossacks. I have no doubt he moves in this matter with Calhoun's sanction. M^r. C. has too much sense not to see the essential Weakness of his occupying a double position, Janus faced, with one expression of countenance for one side of the Potomac and another expression for the other.—I am happy to hear that your nuptials are so near at hand. Wishing you all manner of happiness and that I may hear very often from you during your journey I remain, My Dear Sir, very respectfully and faithfully

Yours,

J. HAMILTON JR.

P.S. Pray obtain the best information you can of the State of public sentiment in the interior. Pray say to D^r. Davis and D^r. Cooper that I will write them in the course of the next week.

P.S. I enclosed M^r. Calhoun copies of Green's Letters to me and my Letter in reply, in order that he might see the whole ground. If Green continues this course we shall have to be even more explicit than we have been in the short editorial which Pinckney put forth a few Days since.

XII. ROBERT Y. HAYNE TO JAMES H. HAMMOND. *

WASHINGTON, 29th Dec^r. 1831.

Dear Sir.

I received your letter in due course of mail and have delayed my answer until I could see the Secretary of War. I have just returned from his house, and have got him to make a memorandum of my cordial concurrence in your brother's² recommendation for a Cadet's warrant.

¹ Eaton.

² Marcus C. M. Hammond, West Point 1836, afterward major-general of Georgia militia.

If my voice can have any weight in the case, the course I have pursued will secure its utmost influence. I cannot say, however, what chance your brother may stand, as this will depend upon a variety of considerations.

The course of our Legislature was on the whole a prudent one, and the nomination question was disposed of admirably. Every thing is in confusion here but all hopes of an adjustment of the tariff on *sound revenue principles* are fast melting away. Both parties are in truth looking only to an arrangement, which shall not impair the *protecting system* and the true game now is to secure the manufacturing interest, while the South is to be beguiled. Let our friends therefore keep their eyes wide open. Denounce all *partial arrangements* as worse than nothing, and if we can do no more, we will maintain our moral strength at home.

I have only time to add that I am
very truly yours

ROB. Y. HAYNE

J. H. Hammond Esq.

XIII. JAMES HAMILTON, JR. TO JAMES H. HAMMOND.¹

RICE HOPE Savannah
River Jan^r 16th 1832.

I was exceedingly mortified, my Dear Sir, on my return to my House at dark to find your Note. if it had been earlier received I should have sent my Boat off at once for you under the hope that M^r. Hammond could have given you leave to pass the evening with me in my solitary Box in the Swamp. Nothing would have gratified me more than to have had a long conversation with you over a Cup of Coffee and a good fire and nothing I assure you shall prevent my visiting you at Silver Bluff on my return from Pendleton but some overruling or unavoidable accident as I desire much to see you before the meeting of our Convention, which I believe will be one of the most important assemblies in its probable influence on public opinion and public measures that has ever convened in the State.² I have no doubt it will sketch the chart which we are to Steer by after the adjournment of Congress. The Committee on Manufactures will report in favor of an excess of Revenue over and above the necessary wants of Government of 5 Millions for internal improvements and Mr. McLane's other projects which I trust will arouse poor old dyeing Virginia.

We must push on vigorously towards Spring and have the people prepared not only to detect the fraud of a deceptive adjustment of the tariff

¹ Addressed: "Col. James H. Hammond (of S. C.) At Mrs. Maxwell's, Savannah."

² The allusion is to a convention of delegates from all the state rights and free trade associations in the state, which assembled at Charleston, February 22, 1832, and over which Governor Hamilton presided. See Houston, *Nullification in South Carolina*, p. 105.

but to resist it too—which I think with prudence moderation candor and firmness we may accomplish. We must not however now push matters to anything like an extremity.

I shall leave this to-morrow Morning for the pilings and shall return in the trip after the next in the John D. Mangin. I shall with this view be at Hamburg on my way back to take the Boat on Thursday the 2^d of Feb^r and I hope to have the pleasure of being at Silver Bluff on Friday the 3^d by noon that I may pass that day with you and on Saturday take the Boat at the Bluff. You need not make any arrangement about sending horses for me to Hamburg, as I shall have my Carriage there having dispatched it from Charleston to meet me on Wednesday at the former place.

I am not surprised at our South Country as M^r Macon calls it being infested with the Missionaries of whom you speak. It is nothing to what we shall see if we do not stand manfully at the Safety valve of Nullification, or to use a more euphonious term, State interposition. In conclusion, My Dear Sir, I am almost inclined to quarrel with you for not coming over this afternoon with my servant who was in town and would have shown you the way. Do me the favor to make my best respects to M^r. Hammond and be assured of the invariable regard and esteem with which

I am Faithfully yours,

J. HAMILTON, JR.

P. S. I need scarcely say that I write this on the possible contingency of not meeting you at the Steam Boat to-morrow at the Pilings.

XIV. CIRCULAR OF THE UNION PARTY'S COMMITTEE OF CORRESPONDENCE
FOR CHARLESTON.

(*Confidential.*)

CHARLESTON, November 2, 1832.¹

Mr. Joshua Teague,
Milton, Laurens, S. C.

Sir: Besides the reasons publicly given by the central committee of our party here,² we are instructed by them to communicate to you less publicly, and through you to our party in your district, some other considerations which have determined their course.

The doubtful character of the Convention about to be organized is a strong reason why we should not permit our leaders to take part in its deliberations. It is certainly doubtful, if nothing more, whether such a Convention will represent the supreme sovereignty of the State; for besides the objections so well urged in our published communication, (that the representation is the same as that of the Legislature, and thus makes our very slaves elements in the composition of the sovereignty of our

¹ The legislature had on October 26 passed (by 31 votes to 13 in the Senate, 96 to 25 in the House) the act for calling a convention of the state. The elections were to be held on November 12 and 13; the convention was to assemble on November 19.

² See extracts from their address, in Niles's *Register*, XLIII. 175.

State) this Convention is restricted in its action and limited in its duration, when it is obvious that sovereign power must be above all legislation. Even the body which calls this Convention into existence has had its powers called in question, and the able arguments which have appeared against it have convinced many that that body was not constitutionally the Legislature of our State. Should we not then reserve ourselves for every objection which can be made to the legitimacy of this Convention for the day of reckoning and account, when the people shall have recovered from the intoxication of the present excitement and return to their usual sobriety? But if delegates of our party take their seats in that body will they not commit the party to abide by its decrees and support its character? At all events they will add to it all the weight and influence which those delegates will possess as men high in the confidence and esteem of their own party.

Again, by keeping aloof and avoiding party contests for the present, we withdraw that external pressure which is the only power capable of binding and uniting a party harmoniously together and expose our adversaries inevitably to dissensions and contentions, which have never failed in the history of the world to divide triumphant parties and break them in pieces. While party is arrayed against party, the most aspiring can be controlled by the danger of defeat. But when power and office are entirely within the gift of one party, the ambitious, no longer fearing a common enemy, will certainly contend for them among themselves.

In addition to all this we would urge that if the Nullifiers eventually fail and the Union is preserved, the mere fact of having held a seat in that body will be a reproach always requiring explanation; for then, like the Hartford Convention, it will consign its members to an odious fame.

This much we are instructed to say to you privately, in vindication of the course pursued by our party in the parishes, to be communicated to such as you choose, particularly the influential, but not to be published. We are also instructed to suggest that even if you find it necessary to run a ticket for delegates to the Convention in order to maintain our superiority in your district, whether it would not be best for the delegates when elected to refuse to take their seats and thus keep your district altogether unrepresented. This course would be a sufficient cooperation with us here, without yielding the contest in the districts where we are strongest, and possibly might be best; but should your delegates take their seats in the Convention we fear a fatal breach will be made in the ranks of our party. The Nullifiers are already felicitating themselves upon a division in our ranks. It remains for you to decide whether you will blast their hopes or confirm their anticipations. With respect, gentlemen, we remain your obedient servants,

EDWARD McCRADY,¹
RICHARD YEADON, Jr.
JOHN PHILLIPS,

Committee of Correspondence for the Parishes of St. ———.

¹ A nephew of Justice William Johnson of the United States Supreme Court. From 1844 to 1850 he was United States district attorney for the district of South Carolina.

XV. JAMES H. HAMMOND TO ROBERT Y. HAYNE.¹

SILVER BLUFF 20 Dec. 1832.

Dear Sir,

Gen Jackson's extraordinary proclamation has just reached me. It is the black Cockade Federalism of '98 revived fearfully invigorated by its long sleep, and seems destined to bring about another reign of terror. Based as it is upon the notoriously false assumption that S Carolina intends to resist the laws [and] Congress with the bayonet, the spirit of it, to every intelligent mind, is as ridiculous, as its arguments are absurd. But there is so much ignorance and passion in the country that both are dangerous, at this crisis, and must be met, promptly firmly and *efficiently*. To aid this purpose permit me to tender you my services in any way that you can make them most useful. I do not seek from you any post of distinction, not only because I can have no claims to it, but because at this moment every man must do his duty to his country without reference to himself. I will undertake any service you desire, and repair at an instants warning to any point, and for any purpose you will designate. I shall immediately set about arranging my private affairs for taking the field at an early day, not to quit it until all is settled. In this part of the country the people are very ignorant and have been heretofore rather inclined to the Union party, but if you think I can be best employed in recruiting Volunteers I will set about raising a company as soon as I receive your instructions as to the time and place [you] will want them and whether you can furnish arms &c and will endeavour to have them ready for service in due time. I have however no choice of employment, so far as I am concerned.

It is impossible to estimate the effect of Gen Jackson's proclamation. Upon the timid and ignorant of our party I fear it will have great influence, which it will require much caution to counteract. If I might be permitted respectfully and with great deference to make a suggestion to you, it would be that you should answer it officially. A similar proclamation from you would command the attention of the Union, and a calm exposition of the false and dangerous positions of the President so entirely subversive of every feature of republican government—a dignified rebuke of its prejudice and passion, and a firm defiance of its threats would have a wonderful effect on the American people. I think his rash denunciation and reckless and arbitrary doctrines afford the means of prostrating him if used with skill. If there is any purity left in our people or our institutions they will react under his monstrous usurpations. If there is none the sooner a general crush is effected the better. I can scarcely persuade myself that Gen Jackson yet intends to do any thing he appears to threaten, but that his alleged position of *defence*, and his insinuated want of *vested* power have been cunningly referred to that he may effect a retreat under their cover. And that after all he intends

¹ Hayne had just been chosen governor. The ordinance for nullification had been passed on November 24.

to make congress repeal the law while he to save appearances is making such violent demonstrations of his intention to enforce it. Whether there be any truth in this conjecture or not is not material to our course. I take it for granted that you will concentrate a large force in Charleston to meet this emergency. Permit me again with much humility to suggest that that concentration be effected silently and without parade. We have already done enough to alarm the more timid of our friends and to afford apparent grounds of justification for the mad councils of the President. At the same time care should be taken to have the force strong enough to annihilate instantaneously the first show of resistance to our laws, and give to treason as well as tyranny so signal and severe a rebuke that they will not recover from it soon.

I shall await with impatience your commands wh. will reach me through the Augusta Post office. In the meantime with the deepest interest in the success of all your measures and the highest respect and esteem for yourself

I remain

Your excellency's obedient servant

JAMES H. HAMMOND.

XVI. ROBERT Y. HAYNE TO FRANCIS W. PICKENS.

COLUMBIA 21st Dec^r 1832

Sir

I enclose you a Commission as my Aid-de Camp.¹ Full instructions will be hereafter forwarded. In the meantime you will be charged with the duty of raising, inspecting, and granting Commissions to Volunteer Companies, for which purpose General Orders are enclosed, and blank Commissions furnished. Report to me at the earliest day, with full information directed to Charleston.

Respectfully Your Obt Servt

ROB^t Y. HAYNE.

P. S. You will take the Oath Yourself and suggest that it is also to be taken by the Officers of the Volunteers to be raised before any superior officer.

Addressed: "Public Service

"Francis W. Pickens Esq., Edgefield C H., S. C."

XVII. ROBERT Y. HAYNE TO FRANCIS W. PICKENS.²

Confidential.

CHARLESTON, 26th December, 1832.

Sir,

I forwarded to you, a few days since, your Commission as Aid-de-Camp, with a brief statement of some of the duties which would be imposed upon you. I propose now to enter into further explanations. I

¹ Twenty-eight aides were appointed this day. Niles, XLIII. 318.

² From a printed confidential circular.

will begin by stating my entire confidence that, at this crisis in our affairs, *when everything dear to our country is at stake*, you will enter upon the duties I have assigned you with a zeal, and energy, and devotion to the cause, which will incline you without hesitation to sacrifice all private considerations to the public good. Relying on this spirit, I will proceed to unfold to you my views, with the remark that they are intended only for your own guidance, and are to be no further disclosed than may be necessary to enable you to carry them into effect. I propose to secure the services of a Volunteer force, which I hope will not fall short of 10,000 men; no part of which, however, will be called into service until an emergency shall arise which may render this necessary. In that event, I shall take care that an equal portion of duty shall fall upon the militia which may not volunteer. I wish you to exert yourself *personally* and through others, to have volunteer companies formed, and to induce those already existing to volunteer in as large numbers and as promptly as possible. When convenient, you will personally inspect these companies, and in every case transmit to me, directed to "the Assistant Adjutant and Inspector General in Charleston," a list of the Officers and the number of the men, with a general statement of the arms at their command. To these Volunteer Corps, you may say in my name, that measures have been taken to procure an ample supply of Arms of every description, and that so soon as this can be effected, they shall be provided; in the mean time they will be paraded with such as they may be able to command. To the Cavalry you may say, that I am in hopes in a very short time to forward a supply of Sabres and Pistols, and you will inform me of the number wanted, and to whom they shall be forwarded. I wish you to furnish a copy of the "*Circular*" lately sent you, to each Colonel, and to such other Officers as you may think necessary, so as to make all the Militia Officers in your District acquainted with the fact, that you are the appointed Agent of the Executive, charged in that District with the transaction of all military business. Where you want assistance you will call upon the Staff Officers already in Commission, within your District, and should further aid be necessary send me the names of proper persons to be appointed.

Inform every Colonel, in writing, that he will be furnished with fifty copies of the "Abstract for the Manœuvres of Infantry and Riflemen" adopted by the Legislature at their last session; on applying in person or by written order to the Secretary of State in Columbia or Charleston, to be given out *in the first instance to the Volunteer Corps*, and the surplus to the rest of the Militia. A full supply of books will soon be obtained however, and every officer of Infantry, Cavalry and Artillery, will be furnished with them. The Cavalry will in like manner be furnished with "Hoyt's Tactics" on application. All demands for any purpose made through you will be promptly attended to by me, and if you want a supply of Books for *distribution* they will be furnished.

Having made these general explanations of your duties, I now proceed to a matter of THE MOST IMPORTANT NATURE, and if you are able,

by any efforts, *promptly* to carry my views in relation to it into full effect, you will not only secure my approbation, but entitle yourself to the lasting gratitude of the country. The VOLUNTEER CORPS above alluded to are intended to be called out by Companies, Battalions or Regiments, but a sudden emergency may arise when men may be wanted at a given point before such Corps can be prepared and marched to it. I deem it indispensable therefore, that a body of *Mounted Minute Men* should be always prepared to proceed in the shortest time possible to any place which may be designated, to be kept on duty for a few days or a few weeks, until more regularly organized Corps shall be brought into the field. My plan is this. Let a number of men, (every one of whom *keeps a horse,*) agree to repair at a moment's warning to any point which may be designated by the Governor in any emergency. Let them then come prepared with Guns or Rifles, or Arms of any description, with a supply of Powder and Ball, and come in the shortest time possible. If in each District only *one hundred* such men could be secured, we would have the means of throwing 2,500 of the *elite* of the whole State upon a given point in three or four days. And by no other means could this be effected. I wish you, therefore, to prepare a paper to the following effect, viz:

"We the subscribers, pledge ourselves *on honor*, to repair at a minute's warning, and without delay, to any point in the State which may be designated by the Governor, to perform any lawful service, in defence of the State, which may be required of us. For this purpose we will provide our own horses, arms and ammunition, and when assembled, we will arrange ourselves into a company, to be commanded by some officer chosen by ourselves, and to be called the Minute Men of Edgfield¹ District." To persons who may sign such a paper, you may give the assurance that they will be called out only when necessary, that they will only be kept in the field until the regular volunteer Corps can be brought out, and that on their arrival at the point which may be designated, provisions and other supplies, and arms if necessary, will be furnished them. It would be preferred that they should serve without pay, as *partizans*, but this must not be stipulated for. Let it be distinctly understood, however, that a failure to appear at the point required, will be considered as a dereliction of duty, and will be attended by disgrace. To execute this plan, it may be well to select ten influential men in various parts of your District, to be called Leaders; bring them fully into the scheme, and let each of them engage ten men as their quota. When the notice is given to you, that the minute men are wanted, you will instantly inform the Leaders and get them to extend the notice to their respective squads. Each man may then instantly proceed by *himself*, or otherwise to the place designated, with the assurance, that he will there find his comrades. Have one or more expresses always at your command, and bear in mind, that you will be held responsible for the speedy and certain extension and prompt execution of all orders. If you need assistance say so, for no

¹ A blank left in the print is supplied with the word Edgfield in manuscript.

excuse will be received for any failure, when your services are required. Remember that you fill one of the most responsible situations in the State, and it would be better to abandon it at once, than to fail in the slightest degree, to fulfil its vitally important duties.

I wish you to see personally each of the Colonels, and learn every thing relative to the general condition of the militia, within your District—the temper of the men—the state of their arms;—whether those out of order can be repaired in your neighbourhood—and what supplies exist of Field Pieces, Muskets, Rifles, Lead, &c, and generally every thing, which it is important for me to know;—all of which may be embraced in a confidential Report.¹

Very respectfully y^r obl^d S^t

ROB. Y. HAYNE

Col. F. W. Pickens.

P.S. The uniform of my staff will be the same as my Predecessor's except *under boots* and a *short yellow crane Plume*. Palmetto Buttons of a beautiful pattern may be had at Roche's, Charleston,² or of Col. P. M. Butler, Columbia.³

XVIII. JAMES H. HAMMOND TO ROBERT Y. HAYNE.

BARNWELL C. H. 8 January 1833

Sir,

I had the honor to receive a commission as your Aide-de-Camp bearing date the 21st Ult. accompanied by several copies of Your General Orders and Circulars, and your letter of instructions charging me with the duty of “raising inspecting and commissioning Volunteer Companies in this District.” I had also the honor subsequently to receive another letter of Instructions from you informing me more in detail of the duties you intended me to perform. Immediately on receiving your first communication I qualified myself to act by taking the prescribed oath and proceeded to distribute the circulars and General Orders throughout the district. An arrangement was made to have a general meeting of the citizens of Barnwell at the Court House yesterday and in the mean time I communicated by letter with the most influential men in the District. Yesterday the meeting took place and I am happy to inform you that on no occasion have I seen more enthusiasm and unanimity among the people. You will see in the papers the resolutions that were passed,⁴ and I assure you they breathe the true spirit of the occasion. I made every exertion in my power to stimulate the military spirit of the people and found but little difficulty in succeeding to an extent beyond my ex-

¹ What follows is in manuscript.

² An amusing tale respecting the palmetto buttons may be found in Niles's *Register*, XLIII. 146, and another in Josiah Quincy's *Figures of the Past*, p. 354; and perhaps they may be said to confirm each other. The former relates to a tailor designated as “R.,” presumably the Roche above mentioned.

³ Col. Pierce M. Butler, a bank president at Columbia, killed at Churubusco in 1847.

⁴ See Niles, XLIII. 397.

pectations. I am not yet able to give you a report that will be as full and satisfactory as I hope to present to you ere long, but will proceed to state generally the situation and temper of the District, as I suppose you wish to be put in possession of some data upon which you may calculate as speedily as possible the military strength of the State.

We have two Regiments in Barnwell, the 11th commanded by Col John Aaron, Lower 3 Runs P. O., and the 43 commanded by Col Jesse Rice. In the 11th one battalion is commanded by Lieut Col. Gasper I. Trotti and the other by Major James Furze. In the 43 one Battalion is commanded by Lieu^t Col Frederick Bamberg, the other at present has no commander, but an election has been ordered and will be held in a few days. These Officers are all warm and zealous supporters of the State, and eager to testify their patriotism by any service you may designate. The Battalion that has no commander has but one Union man in it. The beat companies in their respective Regiments and Battalions are all officered but two in the uncommanded Battalion and one in Col. Bamberg's and for these elections have been or will be immediately ordered. The men generally are as well equipped as the rest of the militia of the State, and from the best information I can collect at least three-fourths of them have guns. Their inferior officers in some cases are intelligent and active men, but most perhaps scarcely competent to command in active service. Neither are the superior officers what you would style Military men, but in case of necessity they will do very well to command until their places are better supplied. In the two Regiments there [are] at least twelve hundred fighting men independent of the Volunteer Corps. Of these there are four companies: Capt Johnsons Troop on Sav. Riv. [Savannah River] in the unofficered Battalion, composed of about Fifty men and in a flourishing condition. I am informed by the Captain that he is in want of a few swords and pistols which Col Hogg (to whose Regiment he belongs) has promised to procure; Capl Tindrels company of Riflemen in Col Trotti's Battalion, of which I can say nothing certain at present further than that it is regarded as a well appointed and finely disciplined corps and mostly Whigs; Capt Holden's company of Infantry in Col Bamberg's Battalion, not in a flourishing condition at this time and wanting in some equipments of which I will inform you more particularly at a future day; and Capt Touchstone's company of Infantry in the same Battalion of which I only know that they are nearly all Union men. Such is the condition of the militia of Barnwell so far as I have been able to learn it. The whole of the men are generally able bodied, more than two thirds staunch Whigs and to the honor of the District I am happy to state that should the militia be called out a considerable portion of the Union men will cheerfully march under the banners of the State.

In regard to the Volunteer's [movement] for this Crisis I cannot now report as fully as I shall be able to do in a few weeks. A company has been formed at this place, have chosen Officers and appointed a day to be inspected. A rifle company has been formed near Cannons Bridge on Edisto

chosen officers and appointed a day to be inspected. A Company of mounted riflemen has been formed near Matthew's Bluff, will choose officers on the 10th inst. and have appointed a day to be inspected. Capt Holdens Company will volunteer. Capt Johnsons will do the same and probably Capt Tindrells. Of the regular beat companies a number, though I cannot now say how many, will volunteer with their officers. I have requested the beat Captains wherever I have thought they would Volunteer to call their Companies together and ascertain their wishes and report to me between the 20 inst and the 1 of February. I shall myself attend several of their musters. A company is also forming which if it succeeds I shall take the liberty of presenting to your particular attention. It is to be called the Volunteer veterans and to embrace all the revolutionary remains of the district; No one will be admitted who is under Fifty years of age. At the head of this project are Old Col. Tarlton Brown, Genl Walker and Capt Trotti.

If it were not for the Troop and rifle companies I think I could promise to have organized for you by the middle of February an entire Regiment in this District. Excluding them we shall certainly have a Battalion well filled. I should be glad to know from you in what capacity you wish the rifle Corps to act, whether as infantry of the Battalion or as detached Corps, and particularly the mounted Riflemen. On this point please instruct me as early as possible as I have fixed on Saturday the 19th to inspect a rifle Corps and Monday the 21 to inspect the mounted riflemen. In this emergency, unless otherwise instructed, I shall not be rigid as to the uniform and equipments of the Volunteer Corps as it will be impossible for every man to be completely appointed on so short a notice. It is with this understanding that appointments for inspection have been made.

I have pursued your instructions in relation to the minute men and have in every case instructed the Leader of a squad to report to me by the 20 inst. I have every expectation that a company of one hundred men can be raised by that time, of which I will give due notice in my report to the Assistant Adjutant and Inspector General.

According to your directions I have informed the Colonels of the District that they can obtain the "Abstract of Manœuvres" upon application. If I had a dozen copies myself I could make an excellent use of them immediately. Major Dunbar, Commander of the Upper Squadron of Col Hoggs regiment, has requested me to obtain for him twelve copies of "Hoyt's Cavalry." I promised him that they should be here next week and must beg you to direct them to be forwarded to "Major Francis F. Dunbar, Barnwell C. H." by the Stage. I have been applied to for several commissions and as I shall want a number myself I must also beg you to have forwarded to me at this place to the care of the Postmaster about three dozen or more if they can be spared.

If you have any instructions for me, they will reach me until the 17th at Augusta, on the 18th here and after that at Augusta again, and I have to request you, as I have occasionally to lay aside the military part of my

vocation and give the people my opinions of the political aspect of affairs, to be kind enough to drop me such hints as may enable me as far as possible to act in all things in harmony with your views.

With great respect

I am your Excellency's

Ob! Servant

JAMES H. HAMMOND.

To His Excellency

Robert Y. Hayne

P. S. There is not a piece of mounted Ordnance in the District. There is said to be a old Cannon near the levels which was probably left there in the Revolution. I shall have it examined and tried and if worth mounting I will have it brought here.

XIX. ROBERT Y. HAYNE TO FRANCIS W. PICKENS.

CHARLESTON Jan. 11th 1833.

Sir

Some doubts having arisen as to the regulation of the *Mounted Minute Men*, I have to inform you that they will be considered as Volunteer Corps, and that they will be allowed to choose their own officers either when formed or when called into the field as may be preferred. They are to be *independent companies* divided into Squads or Divisions of ten, each squad having its leader, and arrangements must be made to ensure prompt Notice to each Member of the Corps in the event of a call for their services when they must instantly repair to the place appointed.

Respectfully Yours

ROB. Y. HAYNE

Col. Pickens.

P. S.

I have just rec^d your letter of the 9th. The Sabres and Pistols shall be granted you, but I can spare no more for the present. How shall they be sent? As to a Depot at Hamburgh, on a small scale I should not object to it. Enquire on what terms it can be effected. Can you store powder and Arms and to what extent, and will it be *safe* from a sudden invasion? Can't Shultz mount a piece or two of Cannon at Hamburgh? We have nothing very new here. We have had an Express from W.¹ but for what purpose no one out of the secret can conjecture. As to Volunteers from other States, I do not feel authorized to enroll them, but you may say if Carolina is compelled to fight in self defence, her brethren from other States would be hailed with delight.

In haste yrs truly

ROB. Y. HAYNE.

¹Washington. The relations of the federal administration with the Union party in South Carolina are shown in Dr. Stille's article on Joel R. Poinsett in the *Pennsylvania Magazine of History*, Vol. XII.

P. S.

Could you not *in time* make an arrangement with Col. Wardlaw for *keeping* a part of the 200 kegs of Powder which have been forwarded to J. P. and B. Benson at Hamburg at that place?

XX. JAMES H. HAMMOND TO ROBERT V. HAYNE.

SILVER BLUFF 14th January 1833

Sir.

Your Orders in explanation of your Orders to recruit a Company of Mounted Minute Men reached me to-day. I am one of those who misapprehended your former orders and all of my subscription papers have been given out with erroneous explanations of your views. I thought, as it would be almost impossible to collect a body of men so scattered over the district, at the distance of thirty, forty, and even sixty miles apart, unless under the urgent circumstances of a call for immediate action, that you merely intended they should remain in their unorganized state until that call was made. I thought too that as you stated they were to be kept in the field only until the militia could come up, your object was to have in them nothing more than an advanced guard composed of the *élite* of the Volunteers who would fall back into their places as soon as their respective companies arrived; and I was further confirmed in this view by the reflection that you scarcely intended to establish on a permanent footing mounted corps of ununiformed men, promiscuously armed and without training. In giving out subscription papers therefore I stated that a person might be a minute man and also a member of a Volunteer Corps. The effort to form a Company of minute men upon any other system than this in so large a District as Barnwell will be attended with great difficulty; but I will endeavour to do it, though it will occasion much loss of time and in some places where the people are divided, prevent the formation of Volunteer companies. If it be not too inconsistent with your general plan I should be glad to be allowed to pursue the course I have marked out: as best suited to this District. I take the liberty of making this suggestion to your Excellency and in the mean time shall proceed to obey your Orders unless otherwise instructed at Barnwell where any communication will reach me on the 18th.

I have received your Orders to establish depots for provision. I have written to Col. Pickens to know his arrangements that I might make mine accordingly. Without waiting on him longer than I remain at home I shall while in the lower part of the district make one depot and soon after another above, of which you shall be duly advised. Your other instructions will be promptly obeyed.

With great respect

I am, your Excellency's
most Obedient Servant

JAMES H. HAMMOND

XXI. WM. E. HAYNE TO JAMES H. HAMMOND.

CHARLESTON Jan^y 14. 1833COL^o JAMES H. HAMMOND,*Dear Sir*

By the order of the Governor I have sent by the Stage, a Package addressed to yourself, to the care of Angus Patterson Esquire, Barnwell Court House, containing twelve Copies of the "Abstract of Military Tactics." Hoyt's Cavalry Tactics have already been furnished to Major Dunbar.

Very Respectfully

Your mo. ob. Serv^t

WM. ED. HAYNE

Aso^t. Adj. and Insp^r. Gen^l.

XXII. ROBERT V. HAYNE TO JAMES H. HAMMOND.

CHARLESTON 18th Jan^y 1833.*Sir,*

My last letter on the subject of Minute men was induced by information that in some of the districts they had been so organized as to take *all the officers* and most of the efficient men of certain *Volunteer corps*, so as to leave the latter without the moral or physical force necessary to their efficiency. My scheme was in the main that which you have indicated,—the preparation of a select corps, composed of the elite of the several Districts who would on an emergency be thrown instantly on any given point,—the use to be made of them to depend upon circumstances. I was aware that such troops would not be the most efficient for long continued service, and therefore designed that the *number should be limited*, say to about 100 in each District, say 2800 in the whole State, which in an emergency would give us from 2000 to 2500 men, that could be instantly thrown upon a given point. I do not think this number of such troops would be too great. But it is upon the regularly organized volunteer corps that we would have to rely in any protracted warfare, and the object of my last letter was to impress upon you that these were not to be suffered to *be broken up*. The arrangements in the different districts, however, must be made in some degree to bend to local circumstances, and therefore you will consider yourself at liberty to pursue a sound discretion in this matter, provided only you secure not only the prompt attendance of 100 Minute men from Barnwell Dist. whenever called for, but take care that the efficiency of the other Volunteer Companies be not impaired. What I should desire would be as far as may be practicable to have 100 minute men composed of Gentlemen who keep horses, who would not in general probably be members of other Volunteer Infantry or Rifle Corps. As to Cavalry, they are or ought to be minute men from the nature of their employment. All the rest of the Militia I should be glad to see organized into Volunteer Corps. Should I want *instantly* 1000

men here, I would call on the Minute men,—if I wanted them *two weeks hence*, I should look principally to the other Volunteer Corps. I trust I have now explained my views, and must leave to your discretion the execution of them as far as may be expedient and practicable in your District. I shall be glad to have full Reports as soon as your organization is effected.

In haste respectfully yours,

ROB. Y. HAYNE.

Col. J. H. Hammond.

XXIII. JAMES H. HAMMOND TO ROBERT Y. HAYNE.

SILVER BLUFF 23rd January 1833.

Dear Sir,

On my return yesterday from an excursion through the lower part of the District I rec^d your last letter and some copies of your proclamation which I have distributed. I intended to write to you that it was impossible to make up my company of minute men without taking them from the Volunteer Corps. I am glad you have permitted me to adopt that plan; In anticipation of your objection to it I had from the first ordered that no Captain or 1st Lieu^t of a volunteer Company should join the minute men. I am sorry to say that I have not succeeded so well as I expected in that Corps. My first appointment of leaders have given me but about fifty men and a third of them are troopers. I hope to do better and *will* have them all by the time they will be required. The people of Barnwell are generally very poor, and though staunch yeomanry, not generally so public spirited I find as some of our neighbours. If drafted there is not a nullifier in the district and few Union men who would not cheerfully take up arms; and they would make soldiers that might be depended on; but as to volunteering they do not understand it and are not inclined to put themselves to unnecessary trouble. The fact is that there are not intelligent men enough sprinkled about to stir them up, and that they have gone right heretofore I attribute to mere instinct. Whenever they can be collected together I have never failed to produce some ardour among them, but in so large a district, so sparsely populated it is difficult to get them together, and they know so little of the matter that one exhortation does not last long. I mention these things to show you why there has not been as spontaneous a burst of patriotism here as elsewhere. We shall however form a Regim^t. Major Collins Battalion (a new and zealous Officer) will parade in a week or two and will I think unanimously volunteer. Two of the beats have already been absorbed by Volunteer Corps and the Cavalry. Besides this Battalion, three other Companies have been formed and two or three more will be. I have made it a point in this district to address the Union men whenever I find them and explain to them the true character of the *present question*. It opens the eyes of many who appear never to have had any light before on the subject. Few papers are taken and there have been few public discussions here.

In relation to the Depots, I have selected White Ponds for one and Buford's Bridge for another. But I take the liberty of suggesting to you that it would be better to have a depot near the rail road and take the troops down on it. If you think so, I will make a depot there instead of the one I contemplate at Buford's Bridge. I think I shall meet no difficulty in making the Conditional Contracts, provided I promise to give a week or ten-day's notice. I am expecting an answer from Mr Fatim at White Ponds to whom I have written on the subject. In regard to rifle-factories, there are none in Barnwell, but several in Lexington; but all on a very small scale. Mr. John Quateleburn near Leesville, Lexington, is one of the best rifle manufacturers in the Union, but he will charge \$11 for every barrel and it will cost \$5 more to have it stocked and locked in the [correct manner?] and if I am not mistaken it takes one workman a week to make a barrel—perhaps if pressed he might do it in half the time. The only plan I see for manufacturing rifles, if there is any, will be to establish a factory in Charleston, purchase iron &c and give so much for making each barrel. Twenty or thirty workmen might be collected in the State.

I have not had any regiments ordered out here, because I thought you might review them here this Spring and it would be a great inconvenience to the people to be called out twice. Besides there was no prospect of getting a regiment to Volunteer as a whole.

I have seen Gen. Erwin. He is decided, but not very warm. If you were to write him a letter it would flatter him very much, but he has little influence I think. I send you the Roster you desired as complete as I can make it now. Please note the changes in the address of the Colonels. I have just made a report to the Ass. Adj. and insp. Gen. to which I refer you for a statement of arms &c.

The message of Gen. Jackson reached me this afternoon. I have not had an opportunity to test its effect on public opinion, but presume it will have none. He appears to recede a little from his coercive doctrine, but he is not to be trusted a moment. It is evident that he will do every [thing] in his power. It is reported here that *he has* removed the Custom house to Castle Pinckney. Is not this a sweeping blow at the laws, treaties and Constitution? He is very *modest* in his request of powers from Congress. I wonder he did not recommend them to burn the Constitution and clothe him with supreme Authority at once.

Very respectfully

Your Excellency's

Mo^t Ob. Ser^t.

JAMES H HAMMOND

XXIV. JAMES H. HAMMOND TO WM. E. HAYNE.

SILVER BLUFF 23^d January 1833

Sir.

In Conformity with the instructions of the Commander-in-Chief I have the honor to report to you the state of military Organization in

Barnwell District so far as it has progressed under the General Orders of the 25 of December last.

On Friday last I inspected at Barnwell Court House Capt' Schmidts company of Jefferson Volunteers. I inclose you a list of the names of the Officers and privates. You will perceive that there are forty eight of the latter and the non commissioned Officers who will require muskets, and I must request you to forward them to me by the rail road to the care of C. Dewitt Esq. near Edisto river. As there will probably be many names yet added to the list, if you forward any it would be as well to send seventy five stand. They will be wanted any how. This Company will have a fine uniform and is intended to be permanent. On Saturday I attended a muster of Cap' M'Tyiere's rifle corps at Ford's Meadow on little Salt Catcher. Owing to accidental circumstances, the Company were not all warned and did not turn out in numbers sufficient to undergo inspection. There will be about sixty privates in this Corps and if you have arms to furnish I beg you to forward that many rifles to me at the same place as I shall inspect and Commission them in a few days. This Company will be well uniformed and permanent also. On Monday I inspected Cap' Laffittes company of Riflemen near M'Coy's bluff on Savannah River. I send you a list of their names and request you to forward arms for them, say sixty stand, to Matthew's Bluff, care of S. R. Cannon Esq. This company will be handsomely uniformed and probably permanent. There are other Volunteer Corps forming in the District of which I shall give you notice so soon as I inspect and commission them. I send you a list of Capt Johnson's Troop who Volunteered at their last muster. Col. Hogg was present and inspected them and will furnish you all necessary information respecting them.

Cap'. Tindrells company of Riflemen mustered last Saturday and he was ordered to forward to me a full report of the state of their arms &c. wh. I am now expecting to receive. Cap' Holden's Company also mustered at Buford's Bridge on Saturday. Of those present only four muskets were found out of repair. I think I shall be able to have them repaired here. The Company did not volunteer as a whole, but every individual signed a list which will be filled up in a few days. I ordered the muskets of the Old Company, sixty in number, to be collected at Buford's Bridge and will arm the new company with them. They are however of a very inferior quality. Of the General State of the arms in Barnwell I can inform you in few words. Besides the sixty muskets alluded to, Cap'. Touchstone's Company have sixty more which I have not yet inspected and Cap' Tindrell's sixty rifles of very inferior quality. These comprise all the public arms. Of the private I can only say, that as in every other part of the state, there is scarcely a man in Barnwell district who has not a rifle or Shotgun. The latter is in most common use here and little to be depended on in regular warfare. I have promised arms to all the Volunteers as soon as they can be procured and beg you will inform me as early as possible whether they can be obtained or not by letter to Barnwell C. H. I rec^d twelve copies of the "Abstract &c,"

but no commissions of which I am very much in want. Please send a copy of the bond which I must require upon delivery of the arms.

Very Respectfully

Your Ob^d Serv^t

JAMES H. HAMMOND

Col. W. E. Hayne

Ass. Adj. and insp. Gen.

XXV. WM. E. HAYNE TO JAMES H. HAMMOND.

ADJ. AND INSP. GENERAL'S OFFICE

CHARLESTON JAN. 28th 1833.

Sir

I herewith inclose you Twenty blank Commissions. Arms will be forwarded as soon as arrangements can be made for that purpose. Bonds required upon the delivery of Arms are now in press and you will be furnished with a supply as soon as printed.

Very Respectfully

Your ob. Serv^t

WM : ED : HAYNE

Ass^t Adj. and Insp. General.

Colonel James H. Hammond.

XXVI. ROBERT V. HAYNE TO FRANCIS W. PICKENS.

CHARLESTON 31st Jan^y '33

Dear Sir,

Your *truly gratifying Report* has been rec^d. If you think you can keep them safely you may remove 300 muskets from the Abbeville arsenal to Edgefield C. H. also 3000 lbs. Lead. You may also have 100 kegs of Powder, which you may draw from the same place unless an advantageous purchase of that quantity can be made through some merchant in Hamburg from Augusta. If 100 kegs of 25 lbs. each can be had at from \$5. to \$6, you may purchase that amount—if not draw them from Abbeville. I do not know that we can spare you a 9 Pounder for Hamburg, but a piece of some sort can be furnished, and will be if you require it, and think it would be useful. As to the Armory, if a few workmen can be employed on reasonable terms to clean and repair arms, you may employ them, but you had better engage them by the month, and let me know the expense. The necessary repairs must be made, and a suitable person be employed to take charge of the Arms, but let our expenses be as small as possible. Any number of men who may meet at the Court House for drill may be furnished with arms, to be returned to the Arsenal when the drill is over. As to calling in Arms I do not *for the present* wish to do more than to get possession of those not in use, or which may need repair. *Private arms* we have nothing to do with, unless their owners choose to give them to us. I will enquire about the Standards for you, and will send you some copies of Hoyt as soon as I have an opportunity. If you know of any

person coming to town send him to me. As to funds,—orders may either be drawn on the Quarter Master General here, or if you prefer it, I will send you any amount you may require in an order on the Agent at Hamburgh, for which you may render an account hereafter. On this point let me know your wishes. May it not be worthy of enquiry whether Arms of some sort could not be picked up in Augusta. Get some Merchant to enquire. I annex the orders you require.

In haste y^r truly

ROB. V. HAYNE.

P. S. There is no objection at all to your taking com^d of the Reg^t. As to the encampment, it must not be *ordered*, and if by gen^l consent I think it had better not exceed one or two companies at a time.

(*To be continued.*)

3. *A Ministerial Crisis in France, 1876.*

IN 1873 France was passing through one of the most redoubtable crises of her domestic history. Thiers had succeeded in freeing French territory from the last consequences of the Prussian invasion and was enjoying the country's approbation when the Monarchist majority of the Assembly decided to reward his services by depriving him of the Presidency of the Republic. The unpopularity thus rashly incurred by the Monarchists was destined irretrievably to ruin their hopes.

On May 24, the Royalists managed to secure the election of Marshal de MacMahon as President of the Republic, and the Duc de Broglie became prime minister.

In November 1873 the National Assembly was called upon to discuss a bill, historically known as the "Septennial Bill," and designed to prolong Marshal de MacMahon's tenure of power for a period of seven years. During the debates M. Jules Simon spoke with a thrilling and fiery eloquence that surpassed all his previous oratory. He vehemently protested against conferring such powers on a man who personified no tradition and whose past could boast of no special glory, who had neither the prestige of the Comte de Chambord and the Comte de Paris, both of royal race, nor the genius of Napoleon. In spite of this impassioned protest, the prolongation of the Marshal's tenure of power was voted as a consequence of the failure of the Monarchist plans of amalgamation; and, after the elections of 1876, which were a definitive success for the Republican party, Marshal de MacMahon formed a cabinet with M. Dufaure as prime minister.

Nine months later, namely in December 1876, M. Dufaure's

ministry was defeated in the Senate over a Public Education Bill; and M. de Marcère, who was Minister for the Interior, was compelled to withdraw from the cabinet, owing to an incident concerning the military honors to be paid to deceased members of the Legion of Honor.

Though M. Dufaure's ministerial stability was weakened by the vote of the Senate, the Marshal did not consider the matter important enough to warrant a government crisis. Being anxious to retain M. Dufaure in the cabinet, he thought it sufficient merely to arrange for the substitution of another minister for M. Marcère in the Interior Department. With this in view, on December 9, 1876, the President summoned a meeting of the cabinet for half-past nine in evening, at the Elysée. The only minister who was not invited was M. Dufaure, he being in the country for a rest.

I am able to publish for the first time the minutes of this cabinet meeting, which have great historic value as revealing Marshal de MacMahon in a light somewhat new and unexpected, at the same time that they add fresh information to what is already known of this episode in the parliamentary history of the Third Republic. These minutes were very accurately set down, and addressed to M. Jules Simon, by one of the most distinguished of the former ministers present at the meeting, who is now dead, but whose name I am not at liberty to reveal. The only survivor of those present is M. Christophle, now, as then, deputy. These minutes were dictated to the minister's wife, the original document, which I have seen, being in a feminine handwriting.

It is well known that this meeting resulted in a *statu quo* of the cabinet, save that M. Jules Simon replaced M. Dufaure as prime minister, taking also M. de Marcère's functions at the Interior Department, while M. Martel, who later became President of the Senate, succeeded M. Dufaure as Minister of Justice. The fall of this cabinet, six months later, precipitated by Marshal MacMahon's famous letter of May 16, addressed to M. Jules Simon, brought on the crisis of "the sixteenth of May," which came so near ending the Third Republic.

THEODORE STANTON.

ON December 9, 1876, Marshal MacMahon convoked a Council at the Elysée, at which were present: The Duc Decazes, Minister of Foreign Affairs; Vice-Admiral Fourichon, Minister of Marine; M. Teisserenc de Bort, Minister of Agriculture; M. Léon Say, Minister of Finance; M. Christophle, Minister of Public Works; and M. Waddington, Minister of Public Instruction.

The Marshal began by reading a letter from M. Dufaure, the prime

minister, in which he stated that he was very much fatigued, that he could not come to Paris, and that he was disposed to give up the portfolio of the Minister for Public Worship, while keeping that of the Minister of Justice, and to offer the portfolio of the Minister for the Home Department to M. Jules Simon. After having read this letter, the Marshal asked the ministers present whether they would accept the combination. The Duc Decazes then proposed that there should be a private conference between the ministers before giving a reply to the Marshal, and M. Léon Say asked that the fullest explanations should take place in the presence of the President of the Republic. The Marshal then pointed out the situation in which he was placed. He said :—

“I am placed in a very difficult position. If the country declared itself against me, I would resign. I did not plot in order to get into power, and I make no point of honor in politics. But the majority of one of the Chambers is not the whole country, and I am doing my utmost to govern with the Left Centre. I have called to office the most important man.¹ There is only one of greater importance, namely M. Thiers. I could not nominate M. Thiers as minister. In such a case I could only myself withdraw. I am quite willing, however, to go further. I consent to proposals being made to M. Jules Simon. If anyone had told me, six months ago, that I should accept M. Simon as minister, it would have astonished me very much indeed.

“You may think perhaps that I am vexed with M. Simon on account of what he has said about me. That is a mistake. I should not have spoken of myself otherwise than as M. Jules Simon has spoken of me. He has said that I have not the prestige of the Count of Chambord, who is the representative of the royal line; that is perfectly true. He has said that I have not the prestige of the Count of Paris who, after the Count of Chambord, represents the royal family; also that I have not the prestige that Napoleon possessed by virtue of his genius. All this is perfectly true—I should have said exactly the same of myself. I have no spite against M. Jules Simon. But if you do not wish me to make proposals to him, what can I do? I shall be compelled to issue a manifesto, announce to the country that the Left Centre is unwilling to remain in office, and that it is not pleased because I accept M. Simon. Then it will be quite natural to hold elections, when it will not be as it was with M. Buffet, who said very much, but who, in fact, did nothing to influence the elections. I think it will be necessary to act, and to act vigorously.

“I will not go further to the Left than M. Jules Simon. M. Gambetta has caused a ministerial list to be laid before me, with M. Duclerc as President of the Council, and M. Lepère, M. Leroyer, and M. de Freycinet as Ministers. There was also the name of M. Waddington. They would very much have liked to get rid of M. Léon Say, but they felt bound to retain him.

¹ M. Dufaure.

"This list was brought to me by General Borel, who knew Freycinet during the war. He felt that the latter was unjustly criticized. He was not a Napoleon, but he accomplished much. General Borel defended him before the Commission of Enquiry on the Conduct of the War. Later on, Freycinet, who was grateful to him, proposed to him that he should have him (Borel) named one of the seventy-five life-members of the Senate. But Borel, who belonged to the Right, did not wish to be in any way pledged to the Left. So as Borel did not wish to be on this ticket, another general had to be found. It was General Gresley, whom I like very much, and who is a very distinguished man.

"You understand that it is impossible for me to let my ministry be formed by Gambetta, and as M. Gambetta has proposed M. Duclerc, I shall not accept the Duclerc combination.

"There are, moreover, other reasons. I like M. Duclerc very much. He has rendered us great services as President of the Bankruptcy Court. He always wished to bring Gambetta and me together. One day he proposed to me an interview, and, in order that it should excite no remark, I was to meet him, as if by chance, in the Bois de Boulogne, with M. Gambetta. But I did not wish it, any more than I should have wished any other interview. The Count of Chambord came one day to Versailles, even into my ante-room, within twenty steps of my cabinet. He was with one of my friends, who came and told me that the Count of Chambord was there. But I replied that I could not see him, in spite of my great respect for him. His grandfather treated kindly my family, who came originally from Ireland, and he also created my father and my brother peers of France. But as President of the Republic, I could not see him, neither did I wish to do so. Prince Napoleon also asked for another interview with me which I refused.

"I will not therefore take M. Duclerc; but since I accept M. Jules Simon, what more can be asked of me?"

M. Waddington remarked that the important thing to know was, whether they were strong enough to fight Gambetta. It was very certain that he led the Chamber. One could try to deprive him of this leadership, but could M. Dufaure resume his own sway? Thereupon the Marshal interrupted him by saying: "But if you do not want M. Dufaure, what do you wish me to do?"

M. Teisserenc replied that he was the intimate friend of M. Dufaure, and that the point was not to know whether he or his friends wished to be with M. Dufaure (about which there could be no doubt whatever), but whether M. Dufaure could reappear before the Chambers with a cabinet in which M. de Marcère, Minister of the Interior, would be simply replaced by another minister for that department. Public opinion had set General Berthaut, Minister of War, and M. de Marcère, in opposition to each other. If M. de Marcère were rejected, and General Berthaut were to remain, there would at once be an interpellation in the Chamber.

The Marshal replied that he made no point of honor in politics, as he had already remarked, and that one of his friends, who was a very

sensible adviser, an ex-member of the National Assembly, had always insisted upon that with him; but in the case of General Berthaut it was quite another thing. Here there was a real point of honor. It was impossible to abandon him. First of all, one could not change a Minister of War every six months, for if foreign affairs became complicated, it would be most dangerous.

Finally the Marshal strongly insisted upon knowing whether or not they refused to allow him to make overtures to M. Simon.

M. Christophle thought that it would probably be useless, but all the other ministers did not share this opinion.

M. Teisserenc remarked that there had been a question of inviting M. Bardoux to a seat in the cabinet, and that it was also very necessary to make an offer to him.

The Marshal said that he would write to that effect to M. Dufaure without delay.

M. Léon Say remarked that there was a point which affected him personally, and which had not been touched upon. The Marshal had said that General Berthaut and M. de Marcère could not remain together in the same cabinet on account of what had taken place at the sitting of December 2. It was necessary that the Marshal should know what took place at that sitting. There were only three ministers on the ministerial bench. M. Christophle was at one extremity surrounded by his general-advisers; at the other extremity were seated M. de Marcère and M. Léon Say. When M. Laussedat presented his order of the day, M. de Marcère learned towards M. Léon Say to ask his opinion. M. Léon Say's advice had been to accept it. If therefore to-day M. de Marcère went out of the cabinet because he had accepted this order of the day, it would be difficult to understand why M. Léon Say should remain.

The Marshal replied that there was nothing official in that, that no one need know whether there had been any understanding between them or not, and that after all M. Léon Say could not go out of the cabinet, because M. Dufaure had said that he would not remain in it without him.

The council broke up at eleven o'clock, and was adjourned until the result of the interviews with M. Dufaure and M. Jules Simon should be known.

REVIEWS OF BOOKS

Encyclopaedia Biblica: A Critical Dictionary of the Literary, Political and Religious History, the Archaeology, Geography and Natural History of the Bible. Edited by the Rev. T. K. CHEYNE, M.A., D.D., Oriel Professor of the Interpretation of Holy Scripture at Oxford and formerly Fellow of Balliol College, Canon of Rochester, and J. SUTHERLAND BLACK, M.A., LL.D., formerly Assistant Editor of the *Encyclopaedia Britannica*. Vol. II.: E to K. (New York: The Macmillan Company; London: Adam and Charles Black. 1901. Pp. 772.)

THE general character of this Dictionary and of the contents of Vol. I. have been described in a former number of this REVIEW (V. 543-545). The present volume follows the lines of its predecessor: it has a similar wealth of material, and is marked by the same freedom of critical research unhampered by regard for traditional opinions. Special attention is shown to the study of clan-names, a branch of inquiry which has been very little pursued, but may yield important results. Folk-lore and legend are abundantly represented, though, strangely enough, the translations of Enoch and Elijah, to which there are so many parallels in ancient beliefs and which suggest so many interesting questions, are passed over with hardly a word of discussion. The volume contains a great number of conjectural emendations of the Hebrew text, some probable, some improbable; in the latter class we may place the explanation of the name Jericho (col. 2396), the substitution of "Jair" for "Jephthah" (col. 2360), the etymology of "Emim" (col. 1289), and some others; but these remarks are usually given as conjectures, and may easily be distinguished by the general reader from what is offered as assured fact.

The material of interest to the historical student is considerable. All the current histories of Egypt and Ethiopia are more or less antiquated—so great has been the progress of recent discovery—and it is therefore a matter of importance to have a conspectus by a careful scholar which shall point out exactly what may be accepted as history in the light of present knowledge; such a discriminating statement is found in the articles by Professor W. M. Müller, of Philadelphia, in which the questions of Egyptian chronology, Manetho's dynasties, the alleged discovery of the tomb of Menes (the first historical king), the Hyksos, the primitive religion, the manners and customs of Egypt, and the history of Ethiopia are treated with great precision, and with references to all important books. With a constantly growing inscriptional literature no such

sketch can be regarded as final, but it is well to have a brief statement of the latest results of investigation. The article on Israel (its political history), by Professor Guthe, of Leipzig, discusses the origins of the people at length and brings the story of its fortunes down to the building of Aelia Capitolina on the site of Jerusalem by Hadrian (A. D. 135). Thanks to the Amarna letters (which gave a picture of Canaan about 1400 B. C.), and to our fuller knowledge of Egyptian and Hittite history, it is now possible to understand the nature of the Israelite migrations better than ever before. Much in this episode, however, is still obscure, and Guthe's narrative of the movements of the tribes is necessarily tentative; we do not know how many tribes there were at the outset, and the pre-Canaanite history of Israel is largely enveloped in mystery. But at least we are able to see that the better account of the invasion of Canaan is given in the book of Judges, and that the story in Joshua is mostly a romance, an ecclesiastical construction of the sixth or fifth century B. C. Other valuable historical articles are those on Edom (by Professor Nöldeke, of Strassburg), on the Philistine cities Gath, Gaza, etc. (by Canon Cheyne), on the Herodian family (by Professor Woodhouse, of St. Andrews), and on Jerusalem (by Professor G. A. Smith, of Glasgow). There is also an admirable account (by Professor Francis Brown, of New York) of the geographical knowledge of the Hebrews of the pre-Christian period, with maps showing the limits of their world at different epochs. Contributions to social history are found in the articles on government, education, kinship, the family, food, handicrafts, embroidery, and other such topics.

Biblical literature is largely represented; there are critical articles on eighteen books of the Old Testament, twelve of the New Testament, and three of the Apocrypha. The articles on the Gospels and Galatians reach the dimensions of treatises; it is questionable whether it is judicious in such an *Encyclopaedia* to discuss at enormous length the relative merits of the "North Galatian" and the "South Galatian" theories—the gist of the matter might have been put satisfactorily in smaller compass. This charge applies only to the two articles just mentioned; the rest are of reasonable length. The latest stages in the process of the disintegration of Isaiah, Jeremiah and Job are set forth clearly, and whether or not one accepts the conclusions of the writers, the principles of criticism are illustrated in their discussions. In the case of certain books whose origin is doubtful, as Habakkuk, Hebrews, James, Jude, and the Johannine writings, the present position of research is stated judiciously; and there is an interesting account of a recently discovered short recension of the book of Judith, for which there may possibly be a real (though vague) historical basis.

A number of other important subjects are treated. The article on Eschatology, by Professor Charles, of Dublin, is an abridgment of his book with the same title; though it has some untenable positions (particularly in its view of the Hebrew conception of soul and spirit), it is a valuable contribution to the doctrine of eschatology. Professor

Jülicher, of Marburg, wrestles with Essenism, which, in spite of recent investigations, remains an enigmatic phenomenon; it belongs to Greek culture as well as to Jewish, and awaits the discovery of the key which is to unlock the secret of its origin and significance. The history of the Eucharistic meal is treated cautiously by Canon Robinson, of Cambridge; the statements in the Gospels, in Corinthians and in later books, are compared, and Greek parallels are mentioned, but no definite conclusion as to origin and development is reached; here also is an unsolved problem. The article on Jesus of Nazareth, by the late Professor A. B. Bruce, of the Free Church College, Glasgow, is an attempt to give a plain biography of the man, apart from all ecclesiastical presuppositions. The writer admits the difficulty of separating the historical from the legendary in the accounts of the life, and the doubt attaching to certain sayings attributed by the Gospel tradition to Jesus; he holds, however, that a definite kernel of fact remains, and that a great moral and religious career is evident. As to the healing of bodily diseases, whether or not, says Bruce, they be regarded as miraculous, they were the work not of a thaumaturge, but of a friend of man. Bruce is not quite able to decide whether Jesus claimed to be the Messiah, but thinks that, with the picture of the man of sorrow (the ideal Israel) in mind (Isa. liii.), he thought of himself as that "man," the representative of all who live sacrificial and therefore redemptive lives. Though, says Bruce, Jesus was the child of his time and people, with limitation of vision (for example, in his statements respecting the future), his spiritual intuitions are valid for all ages. This is a reasonable conclusion; but it is to be regretted that Professor Bruce did not attempt a sharp criticism of the sayings attributed to Jesus.

C. H. TOY.

The Life and Literature of the Ancient Hebrews. By LYMAN ABBOTT. (Boston and New York: Houghton, Mifflin and Company. 1901. Pp. xiii, 408.)

THE BIBLE, it has been said, is the best-neglected book in the world. In the English translation it has become an English classic, is accessible to everybody, is read every Sunday in the churches, and is read by many at home; yet its real significance is perhaps less understood than that of Homer or Shakspeare. This is largely because it has been made a theological text-book, and has thus lost its interest for the people. At present a sort of Biblical revival is going on; a number of books, of which the present volume is one, have undertaken to set forth the literary attractiveness and the human appeal of the Bible, and thus to bring its great power to bear on our people. He who would be an efficient advocate of its claims must be in sympathy both with the scientific exposition of its origin and meaning and with its moral and religious spirit. This remark holds true of the whole of the Bible, Old Testament and New Testament; but the New Testament has not yet found its expounder—

all efforts are directed to the Old Testament. It is with this latter that Dr. Abbott deals, and deals, we need hardly say, in a very interesting way. He is known as an eloquent expositor, and as one who accepts in general the results of the modern criticism of the Old Testament, and he has succeeded in bringing out its human side, and its permanent significance. He points out the vague and inexact character of the old Hebrew historical writing, the gradual development of the legal codes, the origin of the Biblical "fiction" (in such legends as that of Samson), the literary excellence of the imaginative stories of Ruth, Jonah and Esther, the idyllic charm of the Song of Songs, the profound philosophy of life contained in Job, Proverbs and Ecclesiastes, the spiritual beauty of the Psalter, and the ethical strenuousness and unquenchable hope of the prophets. The message of Israel to the world he conceives to be this: that God demands of man only righteousness, and that on this condition man may enter into a relation of comradeship with God. Jesus of Nazareth he regards as the fulfillment of Israel's aspirations.

It does not enter into Dr. Abbott's plan to consider the parallelisms between the Hebrew and other ancient literatures; such a comparison would be helpful, but would require considerable space. His description of Hebrew thought as a natural product of the Hebrew national life is in the main just, and he knows how to distinguish between the essential and the accidental; his point of view is indicated in the following sentence: "Whether Jesus Christ was born in Bethlehem or in Nazareth is not a question which materially affects the moral character of mankind" (p. 42). In a few cases the present reviewer would prefer statements different from those made by Dr. Abbott: the scene of the book of Job lies not in a remote age, prior to 1250 B. C., but in the fifth or fourth century B. C. (p. 234); Josephus is not an authority for the life of Moses (p. 92 n.)—he knew nothing more than what he got from the Biblical text; there is no reason to suppose that Moses got religious ideas from the Egyptians (p. 96), or indeed that he was a monotheist; it is extremely improbable, if not quite impossible, that any of the Biblical psalms should have been composed as early as the time of David (p. xi); it is not likely that Solomon had any definite religious training (p. 289 ff), or that his character was highly complex; the opinion is now gaining ground that the Song of Songs (which is a product of the Greek period) is based on a rustic wedding-festival, and that Solomon is not a personage of the poem (Ch. ix); Hebrew offerings were not all voluntary (p. 154)—on the contrary, time and character were generally fixed by law (see Lev. and Numb. *passim*). These points do not affect the general validity of Dr. Abbott's argument.

C. H. Toy.

Western Civilization in its Economic Aspects (Mediaeval and Modern Times). By W. CUNNINGHAM, D.D. (Cambridge University Press. 1900. Pp. xii, 300.)

PROFESSOR CUNNINGHAM has a way of breaking new ground. He is essentially a pioneer. His *Growth of English Industry and Commerce* introduced for the first time the ideas of continuity of development and correlation of parts into the broad domain of English economic history. The work which this volume completes and of which it is decidedly the most important half is similarly a book on new lines. It is not an economic history, nor is it an economic interpretation of history. It is rather a study of the influence of the other great forces of history on economic conditions. It is an examination of economic history in the light of all the other influences which combined to make each period what it was: an effort to appraise the contribution of each nation and period to civilization, especially to civilization in its economic aspect. It is, therefore, a book of generalizations, of broad views, of suggestions, of insight, of grouping of facts, rather than of investigation and detailed statements.

Dr. Cunningham distinguishes three periods since the fall of the Roman Empire. The first is Christendom as reconstructed after the confusions of the barbaric invasions; united by its common religious belief and ecclesiastical subordination to Rome, depending on traditions and survivals of the Empire for its industrial arts, but distinguished from it by its higher conception of the dignity of man and its fuller recognition of human responsibility in the use of wealth. This period reached its culmination in the centuries from the twelfth to the fifteenth. The great discoveries of the fifteenth century brought in another age marked by the realization of vaster possibilities of wealth to be gained by trading with the Orient and America, and more complete utilization of the internal resources of the separate nations that were being organized, of the possible solution by thought and effort of the problems of national greatness. This period involved a gradual "secularization" of daily life as opposed to the ecclesiastical administration of the Middle Ages, a disruption of the unity of Christendom due to the Reformation and to the stronger national tendencies, and an elevation of capital into the position of the most influential of all economic factors. This second period endured till in the eighteenth century a sudden introduction of improvements in the industrial arts initiated another age of rapid economic changes. The most striking characteristic of this period is its apparently irresistible tendency to overspread and modify the portions of the world not heretofore affected by Western civilization and perhaps even to assimilate them to its own characteristics.

The details on which the description of the first of these periods is based are largely worked out by Dr. Cunningham himself. For the later and more extensive periods he is naturally more dependent on other investigators. The bibliographical references to these numerous varied

and critically chosen monographs are not the least valuable and interesting part of the work. Two chapters of especial interest are on "Christian Relations with Heathen and Moslems" in the Middle Ages and "Rival Commercial Empires" in more modern times.

But this constant generalization and comparison costs its price in the shape of occasional strained analogies and artificial interpretations. If we declared the author's estimate of the influence of religion upon trade in the Middle Ages an exaggerated one, it might be considered simply a difference of opinion, could we not convict him out of his own mouth. He says that "Christianity reconstituted the economic life of the old world," that "Christendom was one organized society for all the purposes of economic life." "Christendom was extraordinarily homogeneous." Yet, when he comes to describe trade between Christian merchants and the Mohammedan inhabitants of Morocco, he says, "It is curious to observe that there is little difference between the provisions laid down and those which were necessary for the prosecution of industry made within Christendom." In other words, it was Christianity which gave medieval trade its peculiar shape, but it had just the same shape under Mohammedanism. A safe inference would seem to be that the major premise is incorrect and that trade and religion had very little to do with one another. Similarly the contrasts of policy of the successive colonizing nations, Portugal, Holland, Spain, France, England, seem a little too symmetrical for real life, and lead one to wonder what single guiding spirit is left to characterize the latest of all colonizing nations and the one in which we have the most interest. But we cannot have broad results without some bold generalizations, and immersed as most students are for the greater part of their time in the study of details, they may well accept thankfully and without cavil the thoughtful, suggestive and original book which Dr. Cunningham has given them.

E. P. CHEYNEY.

A Study of the Court of Star Chamber, largely based on Manuscripts in the British Museum and the Public Record Office. [Doctoral dissertation, University of Chicago.] By CORA L. SCOFIELD. (Chicago: The University Press. 1900. Pp. xxx, 82.)

THIS monograph is a helpful contribution to the history of English institutions and it is decidedly an encouraging product of American university training. Few subjects are more interesting or more complex than the evolution of the various courts and councils from their germ in the original *magnum concilium* or great *curia regis* of the early Norman times. Among the many hard questions connected with this development, perhaps the hardest is the problem of the origin and primitive character of the so-called Star Chamber court. The author has appealed to the existing sources; and if these have not enabled her in some vital points to reach positive demonstration, she has at any rate led us very close to the truth. Aside from the printed books, comprising state

papers, historical collections, and the ancient legal treatises, such as those of Lambard, Hudson, and Crompton, the mass of manuscript material consulted is impressive, both in its extent and in its character. Yet here the scholar is confronted by the ever recurring misfortune—the loss of early records. “In fact, the most valuable records of the Court are no longer to be found.” On August 19, 1608, “the Lord Chancellor delivered to Sir Francis Bacon, then become clerk of the Star Chamber,” six books of the “Kallender of Orders,” extending from the first year of Henry VII. to the thirty-second year of Elizabeth; but their “ultimate fate is unknown. A committee of the House of Lords reported in 1719 that the last notice of the decrees and orders ‘that could be got was that they were in St. Bartholomew’s Close, London.’ No efforts have succeeded in bringing them to light.” The author’s treatment of the bibliography of her subject is commendable.

In the “Introduction” the rise of the Privy Council, in its uncertain relation to the surviving Ordinary Council, is traced; and the ineffectual attempts to curb its jurisdiction are considered. At the accession of Henry VII., the King’s Council “in the usual meaning of the term” was the Privy Council; and it had a “large and but partially defined jurisdiction, the justification of which was found in part in the inadequacy of the common law and of the rules of the Chancery, and in part in the inability of the courts of the kingdom to see that justice was done when might and right were ranged on opposite sides.”

The body of the monograph is divided into four sections, for which it would have been better had appropriate headings been given. The first section is the most important, dealing mainly with the dual problem of the composition and jurisdiction of the court as affected by the famous statute of 3 Hen. VII., c. 1. After a careful and minute examination of the source-materials the conclusion is reached that in the reign of Henry VIII., as also in that of Henry VII., neither the membership nor the jurisdiction of the court conformed to the statute of 3 Hen. VII., c. 1, as usually interpreted. Moreover, the King’s Council is found performing the same functions as the court, whether sitting in the “Camera Stellata” or elsewhere; and, conversely, the powers of the Star Chamber appear to be equivalent, even in state matters, to those of the Council itself. The Star Chamber in fact claimed its vast jurisdiction on the ground that it was the King’s Council. The court and its partisans were therefore historically justified in asserting that its constitution and power were older than Henry’s statute. “The justice of the Council’s claim to such an enormous authority might rightly be questioned, but not the Star Chamber’s right to exercise that authority when conceded.” The purpose of Henry’s statute was probably fourfold. In the first place, a “warning was given to offenders of every degree that another and very vigorous attempt would be made to crush out certain crying evils.” In the second place, “the statute definitely recognized a somewhat summary form of proceeding, which, in part at least, was not new to the Council.” In the third place, “without prohibiting any judicial au-

thority then claimed by the Council, it again outlined the jurisdiction of the Council in a liberal and not too definite manner, specially vested that body with a right to punish certain crimes which were particularly rife at the time, and, above all, placed its jurisdiction upon a lawful and permanent basis." In the fourth place, its purpose "was probably to name a choice of judges and to give to a small committee, as did other statutes to other committees, the power of acting for the whole Council in certain matters." The two chief justices were members of the Star Chamber; but their right to sit in it "did not arise, as did the right of the other judges, from the fact that they were privy councillors." They owed their position "to stat. 3 Hen. VII., c. 1, and in this fact is a partial justification of the current opinion that the court owed its foundation to that statute." The vital point of differentiation, therefore, between the two bodies is the presence of the two chief justices in the Star Chamber.

In the other three sections, the functions, the officers and organization, and the procedure of the court are respectively considered. These cannot be here analyzed. It must suffice to say that this excellent monograph enables us to appreciate as never before the vast significance of the Star Chamber in provoking the struggle for constitutional liberty during the Tudor and Stuart reigns.

GEORGE ELLIOTT HOWARD.

Henry Barrow, Separatist, (1550?-1593) and the Exiled Church of Amsterdam, (1593-1622). By FRED J. POWICKE, Ph.D. (London: James Clarke and Co. 1900. Pp. xlviii, 364.)

THE latest illustration of the renewed interest in Congregational origins recently manifested in England is this handsomely printed volume, in which a scholarly English Congregational minister sets forth the life of the most eminent of the martyrs for Congregational principles and discusses the fate of the exiled church of which he was a leader while it was still on English soil. Barrowe must always be reckoned among the most interesting of the early Separatists. His excellent social position, his dramatic conversion, his long imprisonment, his passionate responses to his judges and his fiery championship of the views for which he bravely died give to his story unfading picturesqueness. If he contributed little to the theoretic development of Separatist principles that Robert Browne had not already anticipated, his is a much more satisfactory career to contemplate than that of the ill-balanced and ultimately apostate earlier reformer. Dr. Powicke has felt the force of these considerations perhaps over-much, and is inclined to the conclusion that Barrowe, "rather than Robert Browne and John Robinson, deserves to be named emphatically the founder of English Congregationalism." But the author recognizes that "such a judgment may be questioned." Certainly many would dissent from it.

Dr. Powicke has investigated anew such facts as are now accessible from which a sketch of Barrowe's life and work may be drawn. If he has

been able to add comparatively little to the story as already told by Rev. Dr. Henry M. Dexter, that result is not because of any lack of fresh and patient delving on his part, but by reason of the thoroughness of the earlier gleaner in the field. In one very important particular, however, Dr. Powicke corrects Dr. Dexter's portrait. To Dr. Dexter it seemed exceedingly probable that Barrowe was the author of the much-discussed Martin Marprelate tracts. The arguments which Dr. Powicke advances in refutation of this claim have great and apparently conclusive weight.

Besides his consideration of the life of Barrowe, Dr. Powicke discusses with much fullness Barrowe's doctrine of the Church, and his relations to the Puritans whose views in many respects resembled his own, yet to whom his Separatism was intensely distasteful, and whom he treated with scorn. He shows, also, Barrowe's essential sympathy with some positions characteristic of the Anabaptists—a sympathy which did not extend, however, to many articles of their faith, and could not overcome the intense repugnance which Barrowe felt for that party which in the Reformation age was everywhere spoken against. In chapters of less value Dr. Powicke discusses the bishops of Barrowe's time and vindicates for Archbishop Whitgift a conscientious and consistent, if cruel and relentless, policy in dealing with Puritans and Separatists.

Dr. Powicke's most valuable contribution to the story of the London Separatist congregation in its exile at Amsterdam after martyrdom had deprived it of the leadership of Barrowe and Greenwood is his searching criticism of such portions of Professor Edward Arber's *Story of the Pilgrim Fathers* as paint the moral condition of the congregation as prevailingly evil and, in particular, hold up its pastor, Francis Johnson, as unworthy of confidence and as making a "death-bed recantation." No reader of Professor Arber's volume can afford to overlook Dr. Powicke's examination of its allegations on these topics.

Dr. Powicke has paid a good deal of attention to the dates and sequences of the various conferences held by the commissions appointed by the Bishop of London with Barrowe and Greenwood, who were then in prison. In most instances his solutions seem to the reviewer to be accurate; though the problem is one of great perplexity, chiefly owing to the frequent indication of the months by number, and the uncertainty as to whether the enumeration uniformly began with January, or sometimes commenced with March. How perplexing the matter sometimes is may be illustrated by the fact that the conference between Hutchinson and Greenwood, which is recorded in *Certain Sclaunderous Articles* as of the "9. day of the 3. Moneth," was dated by Dr. Dexter in his *Congregationalism as seen in its Literature* as of March 1589, while the writer has seen a copy of the pamphlet containing the original record, purchased by Dr. Dexter subsequently to the publication of his learned volume just cited, in which he had interpreted the date in a marginal annotation as of May 1590. Dr. Powicke puts it in March 1590, which seems to the writer to be correct.

In most instances the exact date is of little consequence, but regarding the beginning of Barrowe's imprisonment a more important problem arises. In the account of his examination immediately consequent upon his arrest written by Barrowe, and published soon after his death, he, or his printer, gave the date of the beginning of his imprisonment as November 19, 1586, and further described it as "this 19th being the Lord's day." That date Dr. Powicke, like Dr. Dexter, accepts. Now, Barrowe's arrest took place on a visit to his imprisoned friend, Greenwood; and though Dr. Dexter, moved by Barrowe's apparent definiteness of date, gave a guarded assent to Dr. Waddington's opinion that Greenwood's arrest took place in the autumn of 1586, the testimony of the State Papers points much more to October 1587 as its true epoch. Barrowe, or his printer, probably made an error in designating the year; and a decided confirmation of this conclusion is to be found in the fact that November 19 fell on Sunday in 1587, not in 1586, a fact which Dr. Dexter and Dr. Powicke have overlooked. If Barrowe's imprisonment really began in November 1587, it makes readily comprehensible his statement, in the spring of 1590, that he had "been two years and well-nigh a half kept by the bishops in close prison," without resorting to conjecture, as Dr. Powicke does, as to a possible mitigation of his imprisonment in 1587. It seems supported also by Barrowe's statement in the letter written immediately before his death, in April 1593, affirming that he had sustained "well neer six yeres imprisonment." Barrowe would have said "more than," had his incarceration begun in 1586.

The careful reader will query, probably, why Dr. Powicke, in his bibliography of Barrowe's writings, omits to give the full title of *A Collection of Certain Letters and Conferences*, on the ground that the title-page was damaged in the copy that he consulted. It is recorded under No. 170, in Dr. Dexter's bibliography of Congregational literature. One wonders, also, why he should have chosen to give the title and reprint the text of the *True Description . . . of the Visible Church* from the modified edition of 1641, rather than from the original of 1589. Dr. Powicke is so familiar with the original that he collates its readings on the margin of his text of 1641. The natural proceeding would have been to have printed the original in the place of honor. But these are not very serious blemishes on a conscientious and painstaking work.

WILLISTON WALKER.

A Critical Examination of Irish History, being a Replacement of the False by the True, from the Elizabethan Conquest to the Legislative Union of 1800. By T. DUNBAR INGRAM, LL.D. (London, New York and Bombay: Longmans, Green and Co.; Dublin: Hodges, Figgis and Co. 1900. Two vols., pp. vi, 354, 350.)

DR. INGRAM has produced not a history but a controversial pamphlet in two volumes, whose purpose is to prove the theses that England has

been the only benefactor of Ireland; and that the Papacy and the Irish have been alone responsible for the sufferings of the country. His treatment is everywhere inadequate, particularly in the first volume, which covers a period of 184 years, while the second is devoted to but 16. There is nothing that can be regarded as an account of Ireland under Charles I., or of the Cromwellian conquest, or of the penal laws, which are discussed interminably without once being described. Even where a topic is fully treated, there is an almost complete absence of facts favorable to any but the author's view. He condemns the Irish for refusing to take the oath of allegiance in 1606, when this would have freed them from the consequences of the penal laws, but does not say that the penalties of the recusancy laws would not thus have been escaped; he holds the Catholics accountable for the later penal laws because they declined in 1666 to sign a remonstrance, but he omits to mention that the Duke of Ormond stated that this remonstrance was purposely so drawn as to make it impossible for many Catholics to sign, though Mr. Osmund Airy long ago called his attention to this fact. He quotes Justice Keating's letter to James in behalf of English possessors of Irish land as evidence of the pernicious character of the Irish Act of Repeal in 1689, but fails to state that the letter was written before the bill was passed and while it was still uncertain what it would contain. These instances are examples of what is common throughout. The distortion of evidence is equally prevalent, especially in the author's inveterate habit of drawing unjustifiable inferences from the statements of all who are on the other side of the question.

Even more irritating are his sweeping generalizations: "There is no reason to doubt that if the Irish branch of the great Celtic family had been left to itself, it would gladly have accepted incorporation with the English people;" "Perfect toleration and perfect equality existed in Ireland before the great rebellion of 1641;" "The Roman Catholics . . . were not actuated by any racial antipathies to the English or to the Anglo-Irish. Such a feeling never existed." This regrettable tendency to say more than the evidence will support is accompanied by an acrimonious temper: Mr. Lecky's assertions reveal "infinite folly, prejudice and ignorance;" Macaulay displays "gross partiality" and "narrow bigotry;" Burke's conduct in 1785 was "extremely dishonest;" Flood was "thoroughly unscrupulous;" George Ponsonby "insincerity personified;" the leaders of the United Irishmen "murderous mountebanks;" the Whig Club a "mischievous and contemptible body;" Grattan uttered "crazy and pitiful nonsense," "seditious and inflammatory rant," and was inspired by "the mad rage of disappointment, measureless vanity, and profound ignorance of the constitution and laws of Ireland;" while the last Irish Parliament was "the most worthless and incompetent assembly that ever misgoverned a country." Such unqualified condemnation refutes itself.

The book seems to have been written hastily and the author's materials are poorly digested, for the same statements and the narration of

the same events continually recur. Nevertheless, Dr. Ingram has studied the printed sources and even some manuscript sources, and occasionally his points are well-made. In minor matters he furnishes corrections to Lecky; he is justified in laying stress upon the political side of the penal laws, and upon the fact that the Catholics in a measure provoked the passage of such laws; it is true, too, that the Irish woolen industry was of little moment when it was suppressed by the English in 1699; that the Irish Parliament was venal and corrupt, and that the estates of absentees should have been taxed; but even when right it is inevitable that he should not receive the credit of being so, since the reader is rendered suspicious by the violence of his tone, his evident bias, and his indiscriminate abuse of his opponents.

RALPH C. H. CATTERALL.

La Noblesse Française sous Richelieu. Par le Vicomte G. D'AVENEL.
(Paris: Armand Colin. 1901. Pp. 355.)

THE matter in this book is not new. In his elaborate and valuable work *Richelieu et la Monarchie Absolue*, published twenty years ago, the Vicomte G. d'Avenel treated of the condition of the nobility when Richelieu ruled over France. What was there said formed a part of three large volumes. The author has now printed by itself the portion which relates to the nobility, in one moderate-sized volume.

For the most part, the matter contained in the former work is reprinted word for word. Some additions have been made, of no great importance, and some slight changes made in the text. We notice that in giving the relative values of money, the author formerly estimated that a livre in the days of Richelieu had a purchasing power equal to six francs in our times. He now gives the equivalent value as five-fold. Such a multiplicity of circumstances have to be considered in estimating the relative values of money at different epochs, that at best one can only make a rough guess.

It was probably judicious to select the portion of the former work which treated of the nobility, that it might be presented in more convenient shape to the reading public. For the majority of readers, the French nobility is the most interesting of the institutions of the old régime. Certainly it was the most picturesque, though it was far from being the most useful. The Vicomte d'Avenel thinks that the forms of freer government still existed when Richelieu assumed power and should have been utilized by him, yet he finds little fault with the Cardinal's treatment of the French nobles. Indeed, his judgment upon the body of which he is a member has become more unfavorable, after twenty years of reflection. In 1881 he wrote: "History has been severe toward the nobility, sometimes even unjust." In the present volume he contents himself with saying that "History has been severe," without suggesting that it has been unjust. No follower of the Cardinal could have defended his policy toward the French nobility with more vigor than our

author. "The decline of the nobility," he says, "ought not to be imputed solely to Richelieu. If the nobility fell, it was not from any particular cause, or by the act of any particular man, it fell because it was unfit to govern. . . . The privileges which it retained for services rendered by its ancestors, were the interest on a debt which had become onerous to the community and which ought to have been cancelled."

In an age when individual valor was becoming of less value in the battlefield, and familiarity with political questions was more required at the council table, the importance of the French nobleman steadily diminished. As our author says: "He gave little attention to his private affairs, and still less to public affairs. He was neither artistic nor scholarly. He disdained agriculture, he despised commerce." He was indeed a curious contrast to the English nobleman, who divided his time between an active interest in political questions, and a thrifty care of his own finances. It is not strange that the privileges which the French nobility retained, became irritating to the community. The condition of public feeling in the time of Richelieu was far removed from that in the days preceding the Revolution, yet even the nobility as a body had no popular hold. And for this reason it was easy for Richelieu to diminish the uncertain and precarious power which the nobles still possessed; by their own fault they had ceased to be an important factor in the state, and their intermittent turbulence was checked by the Cardinal.

Picturesque, the French nobility certainly was, but it was frivolous to an unusual extent. The details of dress, the details of extravagance, the details of folly, fill many pages of this book. As a class, the nobility were strangely devoid of true ambition. Of unimportant privileges and dignities, they were indeed most tenacious. The chronicles of the times are filled with quarrels over questions of etiquette. The right to walk first in the procession, the right to receive first the incense from the priest, were held with tenacity. But real power slipped from their listless grasp. They were indifferent as to their political rights, because they were absorbed in the pursuits of vanity and pleasure. "The French nobility," says our author, "was condemned to die from inanition and sterile pride." Such is the epitaph which history places upon a body, which might have played in the development of modern France as great a part as the English nobility took in the growth of the English constitution.

There are a few criticisms to be passed upon M. d'Avenel's work. His position as an authority on French history has been for many years established. The present work is not new, but it serves to draw attention once more to one of the most interesting elements in the French nation, at a period when, under the influence of an extraordinary man, the French monarchy was undergoing great and permanent changes.

JAMES BRECK PERKINS.

Wesley and Methodism. By F. J. SNELL, M.A. Oxon. ["The World's Epoch-Makers."] (New York: Charles Scribner's Sons. 1900. Pp. x, 244.)

THIS volume is a short, readable biography which portrays some of the prominent features of John Wesley's life and work in orderly arrangement. Some of the biographies of great men which have been published recently are too bulky. This sketch of Wesley's life is, on the other hand, somewhat too restricted. A fulness of impression such as the magnitude of the subject might lead one to expect can scarcely be gained in the limitations of this neat volume. After reading such estimates as Green, Augustine Birrell, and many other historians and critics have written of the era of the Wesleyan revival in the eighteenth century, one cannot easily rid himself of the conviction that the movement begun by the Wesleys was nothing less than a tidal wave in religious history. The story of John Wesley and Methodism is remarkable. In dramatic power, in variety of situation, in the play of the deeper sentiments and passions of a moral life upon a broad arena, in the signal effects produced upon an entire nation and its subsequent history, the tale is not only far beyond any mere romance in value, but it has a vital interest which no imaginative work could carry. There is breadth enough in the management of details of this life of Wesley to give the reader a clear view of the state of the times through which Wesley lived and labored for the regeneration of England. The degeneracy of the established church; the worldliness of its clergy; the low standard of morals at the royal court, in high life and among the poor; the great hunger for better things throughout England—evidenced by the crowds which the field-preaching gathered in every part of the kingdom from Cornwall to Scotland; the hostilities which broke out in many of these multitudinous gatherings, the mobbing, the insults, the persecution, all of which were simply the violence and rending of the demons of English life as they, many of them, met the time of exorcism; all this is sketched with spirit and brevity.

Some unnecessary flings are here and there embodied in a single phrase; as, for example, in recounting Wesley's rescue in childhood from his father's burning house, this author says: "When, in later life, Wesley became *saturated with the idea of hell*, he looked back to this incident as emblematical of another conflagration and another escape." This implication of such "saturation" is a wrong against the man who for more than fifty years, in thousands of sermons, preached the unbounded, everlasting love of God with apostolic fervor.

Some over-emphasizing of the eccentricities of Wesley are apparent in this narrative, partly because the qualities of his greatness are not raised to the prominence which they deserve. It is true that Wesley believed in ghosts and witches; but so did many other men in that age who were men of weight and learning. Such facts, however, must be construed by the general mood of those times, and not be taken too seriously by critics of a later era. Wesley had some unfortunate expe-

riences in *affaires du cœur*; but other great men, long before and even since Socrates, have behaved awkwardly in seeking for a wife, and have even been unfortunately mated.

The Wesleys had many instances in their revival services of persons who acted like the demoniacs of Christ's day, as they passed through the experience of conversion—violent physical agitation, prostration, outcries, imprecations, and finally the emerging of a cleansed and pacified moral life. But these revival phenomena were less the effect of sensational preaching than they were the symptoms of that strangely pathological condition of moral life in England which was too weak to do more than to stagger into an apprehension of the Gospel of Righteousness when it was proclaimed in strong but simple terms.

WILLIAM EDWARDS HUNTINGTON.

Études sur l'Histoire Économique de la France (1760-1789). Par CAMILLE BLOCH. Preface de M. ÉMILE LEVASSEUR. (Paris: Alphonse Picard et Fils. 1900. Pp. ix, 269.)

THIS volume contains several essays on distinct phases of the old régime in France such as the municipal assemblies of 1787, the *cahiers*, the treaty of commerce of 1786. The most noteworthy of them are those on "Le Commerce des Grains dans la Généralité d'Orléans" and "La Répartition de la Propriété Foncière à la veille de la Révolution dans quelques paroisses de la Généralité d'Orléans." The latter touches the question of the amount of land owned by the peasantry, a subject on which opinion is still seriously divided. It would be difficult to answer such a question on the basis of an investigation of so narrow a field as the *généralité* of Orleans, and yet the state of affairs which M. Bloch has discovered in Orleans is doubly interesting because of its relation to the larger problem.

M. Bloch has drawn his inferences from the rolls for the *vingtièmes* in fifteen typical parishes. Although the returns are not in all cases complete or reliable he regards them as better than the returns for the *taille*, and as sufficiently trustworthy considering the scope of his inquiry. The statistical tables with which he supplements his treatment of the subject render his investigation useful in examining features of it to which he does not call special attention. He is interested in the holdings of the peasants rather than in the amount of land possessed by the Third Estate as a whole. His tables answer nearly all the questions one would like to ask, but they do not indicate the number of peasants who owned no land, because the returns include only the proprietors. Some of the figures are unusually instructive. Out of 35,707 arpents in the fifteen parishes the peasants held 15,947, the peasants and the bourgeois together, 22,828. In three parishes the peasants held more than the bourgeois, nobles, and ecclesiastics put together; in eight they held more than the nobles. M. Bloch finds that the peasant holdings were generally small; the three sets of proprietors with which they are compared held from one and one-half to forty times as much per individual.

If the parishes M. Bloch has studied could be regarded as typical of France the conclusion must be drawn that the amount of land held by the peasants has been underestimated. Certainly he has chosen the right method for the solution of the problem, namely, the study of the parishes. If other scholars do for other *généralités* what he has done for Orleans the answer will speedily be forthcoming.

His essay on the grain trade in the same *généralité* explains the reasons for the failure of the attempt in 1763 and 1764 to free this trade from the restrictions which had been thrown about it since the sixteenth century. The fate of this first experiment makes clearer the obstacles against which Turgot was to struggle. M. Bloch presents tables, based on the market records, showing the price of wheat on every market day from January 1763 to January 1769. It is apparent that the price rose steadily from the end of 1764 to the latter part of 1768. The principal causes were the partial failure of the crops after 1764 and the consequent exhaustion of the surplus wheat accumulated in the granaries. Naturally such a rise of price affected the fortunes of the experiment, and M. Bloch has shown through the correspondence which passed between the ministers and the intendant, M. de Cypierre, how the government was frightened into a practical abandonment of the plan. Indeed although the ministers were convinced partisans of the régime of liberty they were so completely dominated by the habits of administrative paternalism that they had seriously interfered with the success of the scheme from the beginning. As soon as the rise in price became alarming the intendant began to complain in his letters of the conduct of speculators who bought the grain in the sheaf or in the granaries, without waiting until it was brought to market. He discovered that some of these speculators were buying "pour le compte et aux risques des intéressés," a powerful company not otherwise designated. In replying to his complaints the ministers made light of his fears and urged him not to intervene lest the people become alarmed; they gave him no information about the "company." Finally, however, in September, 1768, they acknowledge that there was a company with which the King had made a contract for the stocking of several magazines near Paris in order to provide against a shortage in the crops and a consequent famine. The ministers declare that the existence of such a contract did not justify the acts of particular speculators. But M. Bloch points out how the trade would be disorganized by the appearance of the agents of a company backed by royal credit. The operations of these men would excite the suspicions of the people and would give rise to the rumors which were at last transformed into the "Pacte de Famine." Indeed the existence of such a contract was nearly all the truth behind the terrible charge. The ministers had acted in good faith, but they had been dominated by their traditions rather than by the theories of the economists to which they professed so sincere a conversion. And M. de Cypierre's letters show that he was no more consistent than they, for he was over ready to bring back the old regulations as soon as the speculators appeared. M. Bloch sums up the situation clearly

in the following words: "Ainsi, d'une part, un administrateur éclairé et généreux qui réclame les mesures les plus contraires à la liberté dont il est partisan; d'autre part, un gouvernement réformateur, désireux de corriger les erreurs administratives de ses prédécesseurs en matière de céréales, qui conserve sous la liberté les habitudes de la prohibition et rend impossible le commerce qu'il prétend favoriser."

HENRY E. BOURNE.

Kléber et Menou en Égypte depuis le Départ de Bonaparte, Août 1799—Septembre 1801. Documents publiés pour la Société d'Histoire Contemporaine par M. F. ROUSSEAU. (Paris: Alphonse Picard et Fils. 1900. Pp. lix, 455.)

THIS volume contains the correspondence of Generals Kléber and Menou as commanders of the French army in Egypt from the return of Bonaparte to France August 22, 1799, to the final capitulation. The Kléber papers extend from August 25, 1799, to June 14, 1800 (on which day Kléber was assassinated), those of Menou from June 16, 1800, to November 21, 1801. The papers comprise letters of these commanders, nearly all official, to the French government, to the English and Turkish commanders, to the civil and military authorities in Egypt, and to the French agents at the English and Turkish headquarters; as well as general administrative decrees and *ordres du jour*. In addition there are a number of letters from Menou to Kléber and to authorities in France, written during the period of Kléber's command. It is evident therefore (though it is nowhere explicitly stated) that the collection is intended to embrace only papers emanating from Kléber and Menou, and we are left to infer that it is in this sense exhaustive. The Kléber papers number 325, those of Menou 65; these are all printed *in extenso*, and in addition there is an appendix containing 41 Menou papers in briefest abstract.

We have here thus only one side (though the main one), of these two years in Egypt; we have no communications from the home government, from the English and Turks, nor from the diplomatic agents of the commanders. A peculiar feature is that 171 of the 390 documents had already been printed. It is true that some of these earlier publications are now difficult of access (as the "*Pièces relatives à l'Armée d'Orient*," published 1801); but there are few such, and fully a hundred of the 325 Kléber papers are taken from Pajol's *Kléber*, (published 1877). The source of the document is always carefully indicated, but it is annoying to find most of them without any place of writing shown. The editing otherwise seems careful; the introduction acutely discusses the characteristics of Kléber and Menou, and presents a judicious narrative on the basis of these papers and some supplementary material; the documents are accompanied by helpful notes. The publication of course cannot be presented as a full documentary presentation of the matter, and it does not seem likely to materially

modify earlier conclusions. The many points with regard to which it might be expected to do so are the negotiations between Kléber and Sir Sydney Smith for the Convention of El Arisch, later repudiated by Admiral Keith, and the controversy between Bonaparte and Kléber or their friends as to the condition in which the army and the finances were left by the former. On the first matter the important papers are not given; nor does the latter difficulty seem to be satisfactorily settled. The editor makes no effort to discuss the controversy carefully (see pp. xvi-xvii), and an examination of the papers does not leave us much better off, though on the whole they support Kléber.

As might be expected, the additions to our knowledge made by this publication are mainly as to the personalities of Kléber and Menou, and the methods of civil and military administration; we are left with vivid impressions of the men, and with fairly definite ideas as to how government was being conducted. It would be interesting to dwell on the attractive figure of Kléber; Menou decidedly loses in the contrast. There are some interesting and probably new side-lights on Bonaparte's previous conduct of affairs.

VICTOR COFFIN.

Lettres de Madame Reinhard à sa Mère, 1798-1815. Traduites de l'allemand et publiées pour la Société d'Histoire Contemporaine par la Baronne de WIMPFEN, née Reinhard. (Paris: Alphonse Picard et Fils. 1901. Pp. xxvii, 429.)

THIS volume of letters will immediately take a place among the most interesting publications of the Société d'Histoire Contemporaine. Written by the clever wife of a clever and responsible French diplomat, who, during the period covered by the letters (1798-1815) filled important posts at Florence, Berne, Jassy, Cassel, and in the Foreign Office at Paris, they furnish, as far as they go, a trustworthy record of the reaction of the French Revolution upon a number of smaller European governments, and teem with lively descriptions of persons and of places. The harvest of political fact, however, is not as considerable as it might have been if Madame Reinhard had not felt that she owed a certain consideration to her husband's position, and that she must not trust too deeply in a mail system which, in a period of wars and violence, was only too often operated for the benefit of one's enemies. But a reticence occasionally and voluntarily imposed does not, it will be recognized, impair the general spirit of probity and sincerity in which the letters are conceived. They were addressed to the writer's mother, before whom Madame Reinhard had no secrets, and such is their ease, uprightness, and charming, impressionistic volubility that they secure her a place among the masters of that difficult art of letter writing, in which none but women seem to arrive at excellence. These statements disclose where the real significance of this volume lies: not so much in new political facts as in personal appreciations of well-known contemporaries, and in vivacious

and ingenuous pictures of contemporary life. It is a cause for regret that the work is not complete, the editor, Madame Wimpffen, having found herself obliged for various reasons to give a selection merely of what seemed to her the most important letters, and it is a distinct diminution of their value that, although written originally in German, they are offered to the public in a French translation, the accuracy of which the reader has no means of controlling.

In the year 1796 Fräulein Reimarus, the daughter of a celebrated Hamburg physician, married Charles-Frédéric Reinhard, diplomatic representative in her native city of the new French republic. It is to be observed that Reinhard was himself a German, having been born in the year 1761 in the duchy of Württemberg. He is thus to be reckoned among that considerable band of his countrymen who, either for political or for personal reasons, expatriated themselves to seek their fortunes beyond the Rhine. Difficult as it is for a person living one hundred years after to believe, Reinhard, while becoming an excellent Frenchman whose loyalty was never questioned—he was rewarded toward the end of his life with a French peerage—remained always in the most intimate relations with literary and scientific Germany. He was a man with two loyalties, a loyalty of soul and a loyalty of hand and service, and he seems never to have felt or at least to have admitted their incompatibility. The statement holds also for his wife, who, although writing in German to a German mother established in Germany, and linked in her inner life almost exclusively with Germans, does not yield in clamorous French patriotism to any subject of Napoleon regularly baptized with water of the Seine. This national dualism, emblem and expression of the time when united France was the greatest political power of Europe, and divided Germany respectable merely as a great cultural power, gives the letters a psychological background that affects in a very complicated way the material presented by the writer and constantly renews the reader's interest. To give an example: Both Madame Reinhard and her husband entered in the year 1807 into very intimate relations with Goethe, for whom ever afterward they entertained the most profound admiration; yet the overthrow of Prussia, completed in this same year, and involving the overthrow of all Germany, arouses in the fair correspondent the most ardent expressions of satisfaction.

I have said that one's pleasure in this volume lies chiefly in the illuminating glimpses which we get of contemporary actors and contemporary manners. Napoleon, Goethe, the king of Saxony, Talleyrand, are rapidly drawn as they appeared at the moment of transit across the writer's vision, and the sketch has a palpability and picturesqueness that makes the object glow with more vitality than if it had been honored with a laborious essay. I do not think that the unsympathetic quality which made Madame de Staël so great a bore even to her admirers, has ever been more clearly or more maliciously illustrated than in the descriptions on page 99 and page 409. The glimpse of Napoleon racing sullenly through the famous gallery of Dresden (p. 340) is irresistibly funny, and

the several portraits of the declaiming and expounding Goethe (pp. 325-338) have more human value than a whole new *Jahrbuch* of the Goethe Gesellschaft. Mme. Reinhard makes her most serious effort in the journal of her Russian trip (p. 235 ff.), and the way in which the reader is brought near to Russian prisons, Russian officials and Russian landscape, must convince him that the writer's intellect is quite on a level with her artistic perceptions.

FERDINAND SCHWILL.

Souvenirs Politiques du Comte de Salaberry sur la Restauration, 1821-30. Publiés pour la Société d'Histoire Contemporaine par le Comte de SALABERRY son petit-fils. (Paris: Alphonse Picard et Fils. 1900. Two vols., pp. xix, 285, 325.)

THESE volumes are the latest publications of the "Société d'Histoire Contemporaine," and show a commendable activity on the part of that organization. But the society might easily have found more valuable objects of its preservative care; we have here in fact little more than a series of political pamphlets thrown into a connected narrative form (with the narrative very incomplete, and always a secondary and indeed incidental matter), and almost wholly unprovided with documents. Very little information of convincing weight is to be garnered here, and the accepted general conclusions are not affected. We are told much in regard to individuals both small and great that the close student will consider; but most of the personal sketches are hopelessly vague and incomplete, and of interest mainly as reflecting malicious political gossip. The author deigns to touch nothing that is not political; the student will search these volumes in vain for any direct light on general social or intellectual conditions.

The "Souvenirs" begin with the formation of the Villele ministry in the middle of December 1821, and close with the elections of June 1830, Vol. II. beginning with 1826; the arrangement is loosely chronological, and the matter is divided into "Livres" on no perceptible principle. We therefore have here no information or reflections on the revolutionary events of 1830, though we reach the very verge of the catastrophe, and in the last pages (probably written after July 1830), have some statements with reference to preceding revolutionary disturbances that we suspect display knowledge after the event. The question of the date of the composition or final revision is invested with difficulty. The editor does not refer to the point (a fact which is representative of the value of the editing) and we are thrown entirely upon internal evidence. From this I conclude that these "essais" (as the author himself terms them,—II. 35), were written almost entirely in the reign of Charles X., and that the work was never carefully revised (frequent repetitions and abrupt ending); the writing was probably begun late in 1824 or early in 1825, and continued thereafter at probably never more than a year's distance from the events dealt with. They were evidently written for the public (see I. 9, 178; II. 35, 68), but apparently the revolution

of 1830 so interfered with the writer's position and plans (he lived in provincial literary labors till 1847) that he abandoned a publication that perhaps would not have been safe under the July monarchy (there are frequent attacks upon the Duc d'Orléans). What the editor has now done in the way of revision or arrangement is not shown; almost the only editorial work visible is a very inadequate biographical sketch, and a large amount of personal notes of this order: "Jean-Pierre-Claude-Nicolas Moyne-Petiot, député de Saone-et-Loire de 1828 à 1830; né en 1783, mort en 1853,"—information that we are given in regard to almost every individual mentioned (a vast number), no matter how incidental the reference or how obscure the person (generally however without any statement of political affiliations). And yet this is precisely a case where full editorial aid is essential, where it ought to be lavished in making clear to us obscure political situations and connections that the writer refers to in ordinary pamphleteering style.

What is the value of these "Souvenirs" to the investigator? They are written by a man of sixty who is a devoted Royalist of the more moderate Villèle section. They are written in the bitterness of impending or accomplished defeat by a man who had always been distinguished among his own narrow and passionate and intolerant associates for his uncompromising political positions and the violence of his expression of them.¹ It is evident therefore that we must scrutinize every sentence with deep distrust. The writer had been an émigré (as the editor naïvely puts it, "avait voyagé en Allemagne en 1790 et 1791"), whose father had lost his head on a revolutionary scaffold in 1794, and who himself had fought among the Vendéans; elected from Blois to the "Chambre Introuvable" in 1815, he held that seat till 1830. He was in his day of no particular political importance, though a characteristic and respected figure, and was never in office; his tastes were literary and a large section of the editor's meagre introduction is occupied by a list of his very varied productions. The reader of the *Souvenirs* will not be surprised that none of these productions had previously been known to him; though a felicitous expression here and there and poetical effusions scattered throughout bear witness to the "esprit" with which Mme. de Staël credited him, the book is on the whole dreary reading.

In what degree does M. de Salaberry illustrate the opinions and passions of the Ultra-Royalists in the years 1821-30? The epoch to which the writer always looks back fondly is that of the "Chambre Introuvable," and he cannot forget or forgive its dismissal in 1816. Richelieu is for him a nincompoop, all his supporters fools or knaves; it is only with Charles X. that the good time comes fully in again. There could be no better illustration of the attitude toward the crown of the Ultra-Royalists than we have in M. de Salaberry's hysterical account of the coronation of Charles X. (I. 173-191). All Liberals are to him revolutionist, anti-monarchical, Carbonarist, made such simply by private passions and

¹ See editor's preface, pp. xii, xiii. The Count was referred to in a political squib of the time as "Don Quichotte Salaberry."

unholy ambitions. At times he falls into political disquisitions; one of the most instructive passages of this kind is that in which he discourses on Liberals and liberalism (without the capital, I. 199). The terms altar and throne are usually found together in his pages; opponents of the monarchical supremacy are *ipso facto* atheists; government is effective just in proportion to its identification of the interests of Church and State. He is a strong supporter of all the distinctive Ultra-Royalist measures of the Villele period, and a bitter opponent of the press; he condemns the removal of the censure at the beginning of the reign of Charles X. and advises the government to make use of its exceptional powers to punish the courts for not condemning journals.

In this intolerance of public opinion our author deviates from the anti-Villele Ultras, for the simple reason that he is Ministerialist and they are in opposition. It is necessary to keep in mind the split in the Royalist ranks that became pronounced in the new Chamber of 1824: the dismissal of Chateaubriand and Bellune from the ministry converted a latent hostility to Villele into active opposition, and from this time on these "Royalistes de la Défection" attacked Villele and his measures on every occasion. This opposition was undoubtedly factious and unprincipled: but it is evident that Salaberry in his condemnation of it (almost as marked a feature of the *Souvenirs* as hatred of the Liberals) is equally impelled by personal influences. His positions differed in no important degree from the extreme Ultra ones, and he repeatedly urges measures fully as unwise and arbitrary as those finally adopted. He continues loyal to Villele to the end. The Martignac administration he condemns as one of concessions by which only the revolutionists profited, while that of Polignac, while monarchical and religious, is weak and disunited (II. 276, 284).

The divergence of M. de Salaberry as a close adherent of Villele from the party with which he is really in sympathy, brings him into some difficulties and inconsistencies, especially in connection with the Spanish war. But perhaps it is not particularly profitable to dwell on the vagaries of this weak-headed and narrow-spirited, though undoubtedly upright and gallant gentleman. On the whole it would seem that his admiring posterity were ill-advised in permitting his paper to go to publication in this form, and that we need not be moved by any acute sense of gratitude for their oversight.

VICTOR COFFIN.

Russia and the Russians. By EDMUND NOBLE. (Boston: Houghton, Mifflin and Co. 1900. Pp. 285.)

MR. NOBLE is one of the very few American writers who have attempted to make a serious study of Russia, present and past, and we hail him as such. To be sure, the fact that he is the author of *The Russian Revolt* and the correspondent of *Free Russia* will in itself suggest the likelihood of certain limitations to his capacity as an historian. It is not, however, a history strictly speaking that he has tried to give us in

his latest work ; it is rather a series of connected sketches, in thirteen chapters, "The Land and the People," "Laying the Foundations," "How Russia Became an Autocracy," etc. This method may have the advantage of enabling him to disregard any lack of proportion between his different topics and of allowing a more rhetorical treatment ; but, as a result, the book is neither one thing nor the other. It has not the structure of a good short history, and there are far too many primary facts for a series of essays. The scholar will find nothing in it particularly useful, and no method can excuse some of the inaccuracies.

Mr. Noble seems to have meant to write carefully. He has used excellent authorities and evidently has wished to be studiously moderate, though continually indulging in sweeping statements. His belief that "We are thus entitled to regard the autocratic régime in Russia as maintained not in the interest of the people but in the interest of a ruling class" does not very often crop up to vitiate his impartiality, especially in the earlier part of his work. As one would expect, like most other western liberals, he is not fair to the national Greek Orthodox Church, or to its source, the Byzantine Empire. His broad style of narration, too, leads him to treat controverted and even very doubtful facts as if they were generally accepted truths, as for instance when he calls the princess Tarakánov (p. 91) the daughter of the man he dubs Alexander Alexei Gregorovich Razumovsky (a piling up of names utterly impossible in Russian), and of the Empress Elizabeth. Again, his love of the picturesque makes him forget in the enthusiasm of his description of the baptism of Vladimir's followers (p. 28) that the ceremony took place in the Dnieper not the Volkhov, *i. e.*, near Kiev not Novgorod, in southern not northern Russia.

To continue our fault-finding, it is hardly worth while to note an occasional misplaced accent or questionable transcription ; what we have to criticize is the inaccuracy of many of Mr. Noble's facts. For instance he exaggerates the isolating influence of the language in cutting off Russia from the west. Russian is not harder than Polish, nor is it a non-European language like Hungarian ; and even the use of a different script was not such a serious barrier from the rest of the world. Any one can learn the modern simpler Russian alphabet in half an hour. It is a little astonishing, moreover, to find an author who really knows so much about Russia still believing the absurdity (p. 81) that the Urals were "the boundaries thus apparently marked out for them by nature." The Urals are less of a natural boundary than are the Alleghanies. If Mr. Noble had read Cahun's *Turcs et Mongols* he would scarcely have repeated the old fable of "the enormous numerical superiority" of the Tartars (p. 47), and his statement that "in 1480, the power of the Asiatics was finally brought to an end by Iván the Terrible," is to say the least very confusing. Iván III., whom this must mean, was given the name of the "Terrible," but he is always known as the "Great" and the term "Terrible" has become indissolubly linked with his grandson Iván IV. Utterly unpardonable indeed, are such errors as making

Mikháil Románov a descendant of Iván (p. 65), and as saying (p. 161) that Alexéi Mikháilovich intrusted the work of revising the sacred books to Maxim the Greek (who lived a full century earlier), and that serfdom was instituted about the middle of the seventeenth century, whereas the decisive steps were taken in 1597. The mention (p. 88) of "the struggle with the Turks (1736-1739), peace with whom Anna after losing 100,000 men obtained through the mediation of France," does not convey a correct impression of a war where the Russian arms met with nearly uniform success even if the treaty of peace was unsatisfactory. For what possible reason in the previous sentence is Augustus II. called "Auguste"? He was not a Frenchman, but a German named "August," which is also the Polish way of spelling the name. Finally let us charitably assume that it was a slip of the pen which caused (p. 118) Constantine and Nicholas to be described as the sons instead of the brothers of Alexander I. As for the last chapter, "The Future of Russia," its various conclusions and prophecies need not detain us.

ARCHIBALD CARY COOLIDGE.

Surveys, Historic and Economic. By W. J. ASHLEY, M.A., Professor of Economic History in Harvard University. (New York: Longmans, Green and Co. 1900. Pp. xxvii, 476.)

To those who have followed Mr. Ashley's scattered contributions to the periodicals, this collection of his minor writings will bring little that is unfamiliar. About two-thirds of its contents have appeared in various economic journals. One-half the remainder is from the pages of *The Nation* or *THE AMERICAN HISTORICAL REVIEW*. Less than one-eighth of the whole is now printed for the first time. The subjects treated range from "English Serfdom" to "Harvard Scholarships," and from "The Canadian Sugar Combine" to "The Tory Origin of Free Trade." But the book, in spite of its superficial diversities, has elements of essential unity. It is informed by a vigorous personality, it is dominated by definite convictions, and it faces in the direction in which much historical work is now looking. "We who concern ourselves with economic history," declares the author, "have with us the current of the world's thought." The period of constitution-making which followed the French Revolution produced its political historians, its Guizots and Hallams and Grotes. The centuries following the Reformation show an imposing procession of historians of the Church. "Precisely in the same way the pressure of modern economic problems is certain to produce, has already begun to produce, a whole literature of economic history." Of the extent and character of much of this literature, Mr. Ashley's *Surveys* afford a good indication. Out of his forty-five articles over thirty are reviews—some of them elaborate reviews—of recent works dealing with economic history. Indeed not more than ten of the whole number appear to be altogether independent of some specific book.

The essays and reviews thus brought together Mr. Ashley has arranged in eight "well-marked groups" entitled: (1) Preliminaries (already

quoted from—these include his inaugural lecture at Harvard), (2) Medieval Agrarian, (3) Medieval Urban, (4) Economic Opinion, (5) England and America, 1660-1760, (6) Industrial Organization, (7) Biographical, (8) Academic. As might have been expected the medieval sections are by far the largest. They occupy together nearly half the volume, the three following sections filling two-thirds of the remainder. Broadly speaking, the first of them, the "Medieval Agrarian" section, is concerned with the mark. Its opening essay, on "English Serfdom," surveys the external history of the "mark dogma" down to the appearance of Vinogradoff's *Villainage in England*; and the subsequent progress of knowledge upon that and related subjects is indicated by a baker's dozen of brief reviews. The essay itself exhibits the author at his best. It is clearly thought and persuasively written. The general reader is likely to be left with scarcely more doubt where the truth lies than is felt by Mr. Ashley himself; and as to the mark, at least, Mr. Ashley's convictions are positive. But the same reader will probably wish that the author had worked into his essay what is important in the following reviews, instead of printing them at length. Iterated disbelief, even in the Teutonic freeman, becomes wearisome. Mr. Ashley has hit the hypothetical head of that worthy wherever he saw it. He has hit hard and straight; and it is, perhaps, poor-spirited not to share his *gaudium certaminis*. But after all, why march us up and down among the slain? Why should not the author act upon his own conviction (p. 166) that "since the appearance of M. Fustel de Coulanges' detailed examination of von Maurer's alleged authorities the mark doctrine . . . ought to be too dead to be longer attacked"?—especially since it is not clear that even Maitland has shaken his confidence in the servile origin of the manor.

In form, the "Medieval Urban" group is like its predecessor. But the ten reviews which follow its introductory essay on "The Beginnings of Town Life in the Middle Ages," do not produce the same impression of possible superfluity, because Mr. Ashley is here content to offer a clear and impartial survey of recent theories as to the origin of medieval towns, without giving in his own adherence to any one of them.

The section entitled "Economic Opinion" consists, in addition to two brief reviews, of an admirable article on "The Tory Origin of Free Trade"; it shows convincingly that Sir Dudley North and the other eighteenth-century pamphleteers in whose "liberal" doctrines McCulloch found evidence of preternatural enlightenment, were, in fact, merely playing the game of politics against the Whig prohibition of 1678, and were by no means free traders in the "orthodox" sense—than which nothing more illuminating has been written on economic opinion in eighteenth-century England.

The next section opens with a lecture on "The Colonial Legislation of England and the American Colonies" which was delivered before the University of Oxford in January, 1899, and published in *The Quarterly Journal of Economics* for November of the same year. It argues that the grievances inflicted upon the colonists by the Acts of Trade have been

greatly exaggerated. The Navigation Laws proper protected colonial shipping and ship-building quite as much, and restricted them no more, than they did English. The laws requiring that "enumerated commodities" be exported to England only, and those forbidding certain manufactures in the colonies, worked no real hardship, because they jumped with the economic conditions then prevailing. Our products were chiefly agricultural, and for these we found a ready sale in England. We had neither the capital, the labor, nor the technical knowledge necessary to establish manufactures. In these respects the commercial relations of England and America would not have been much different if there had been no Acts of Trade at all. Even the Act of 1663, requiring that commodities the growth or manufacture of Europe be shipped to the colonies only from England and in English bottoms, did not hamper the Americans, since England was their natural entrepôt.

To this last pleading a demurrer was promptly filed by a critic who conceded the other points.¹ In his view Mr. Ashley's is an *a priori* argument, and must fall before the abundant evidence of illicit trade in the colonies. Against his attack Mr. Ashley now defends his position in a paper on "American Smuggling, 1660-1760." He admits the weakness of the original *a priori* argument, and seeks to strengthen it by pointing out that "American imports from England, far from diminishing when the War of Independence was over—as we should expect if the obligation to buy in England had been a serious grievance—actually increased" (p. 344). They did so. According to the official figures they amounted, on a six years' average ending in 1792, to £2,807,306 against only £2,216,824 on a six years' average ending in 1774. But the absolute amount is less significant than the rate of increase. These figures show a growth of less than 28 per cent. in eighteen years. If now we compare the value of goods imported on a ten years' average ending in 1730, with those imported on a ten years' average ending in 1710, we find an increase of 76 per cent. in twenty years. Similarly for 1740 of 81 per cent., for 1750 of 72 per cent., for 1760 of 139 per cent., for 1770 of 113 per cent. Thus it appears that imports from England still increased after the Revolution, but at a diminished rate. If the figures warrant any inference at all (which may be doubted), it is that Americans bought less and not more goods in England after the war than they might have done had they remained subject to the Acts of Trade. The figures, then, seem rather to weaken than to strengthen the *a priori* argument.

Mr. Ashley next takes up the illicit trade itself. Here he draws needed distinctions between that which was, and that which was not, in violation of the Acts of Trade. We must eliminate: (1) trade with pirates and in violation of the East Indian Company's monopoly, (2) supplies sold to the King's enemies in time of war, and (3) smuggling to evade colonial tariffs (all three being forms of trade as illegal for Englishmen as for colonists) in order to find the residue which alone can

¹ A. H. Johnson, in *Economic Journal*, 96.

be cited as evidence of the oppressive character of the Acts of Trade. It is impossible in a review to follow Mr. Ashley into the detailed consideration from which he concludes that their residue was small. He devotes most space to the apparent confirmation of his conclusions by Lord Sheffield's *Observations on the Commerce of the American States* (first ed., 1783, sixth, 1784). Now Sheffield was opposed to a treaty with the United States. So he asserted that England would hold the trade of the Americans without it. His reason was that the Americans could not buy what they wanted on better terms of any other nation. This he attempted to prove by taking up the various articles severally, making abundant use of such phrases as "a great," "very great," "inconsiderable," "not of capital amount." But, with one exception, to be noted presently, he gives no figures. To call him in amounts to little more than saying that somebody else, and that a person not free from suspicion of political interest, had anticipated Mr. Ashley's *a priori* argument. The argument is, perhaps, somewhat strengthened by Sheffield's authority, but it is by no means rendered conclusive. It still remains true, as Mr. Ashley says, that the point at issue cannot be settled "until the economic history of New England [and the other colonies] has been subjected to a more thorough and scholarly investigation than it has yet received" (p. 337), for here, as in nearly all departments of international trade, it is a question of relative values, of the *proportion* [author's italics] of the illicit importation of European goods to the total importation" (p. 341). And on this crucial question Sheffield gives us one, and but one bit of precise information. In the years 1767-1770 nineteen per cent. of English exports to the colonies were commodities of foreign origin, over eleven per cent. of the whole being East Indian, and less than eight per cent., presumably, European goods. Mr. Ashley quotes the figures in a foot-note, apparently regarding them as a measure of the colonists' small demand for European goods. But they might also be interpreted as indicating the extent to which such goods were smuggled direct.

The three remaining sections of the book are predominantly not historical. The volume is handsomely printed, in clear type, upon paper which, though surprisingly light in weight, is opaque, of a pleasant dead finish, and takes ink admirably. The table of contents is very full, but that by no means atones for the absence of an index.

CHARLES H. HULL.

History of the New World Called America. By EDWARD JOHN PAYNE, Fellow of University College, Oxford. Vol. II. (Oxford: Clarendon Press. 1899. Pp. xxviii, 604.)

THE second volume of Payne's *History* is entirely devoted to an ethnographic account of the aborigines, or, as they are now termed by anthropologists, the Amerinds. The opening pages contain an essay upon military organization and advancement and the creation of an

industrial class. Missionary civilization is shown to rest, "like all else within the scope of history," upon a solid economic basis. The origin of the industrial class is accounted for by universal laws and not by the difference in individual aptitude. By two methods, both depending upon the primal condition of servitude of woman, the industrial class is evolved. Evidence is adduced to show that agricultural communities composed exclusively of women existed in both worlds and the tales of Amazons are not fiction but authentic tradition. Increase in population results as a natural physiological process after the assumption of the tasks of agriculture by the males. In Mexico and Peru the contrast between the ruling military class and the laborers is strongly marked, agricultural advancement depending upon and developing with military efficiency. The warrior class is a survival from savagery, the industrial class is a new creation. Even in their religious notions there is separation; the warrior class concentrate their devotion upon the atmospheric powers and the heavenly bodies while the popular religion is an earth-worship. In general we may say that there is very little of the "New World" in the first thirty-five pages of the volume.

The unit of aboriginal history is assumed to be the pueblo, corresponding in a measure to the village community of the Old World; but unlike it the pueblo was a purely agricultural community, the Amerinds having no domestic animals save the llama. The pueblo is described as the seat of an agricultural tribe, but the definition of a tribe is very unsatisfactory; the author might have used with profit the publications of the Bureau of American Ethnology relating to the tribe, clan and gens. After contrasting the political organization of Peru and Mexico, the conclusion is reached that the Mexican dominant pueblo, existing by despotic military power, more nearly approached the feudal system of the Old World than any other government in America. The food-quest is made the foremost cause of migration, and property is interpreted in terms of food. The first migration was from Asia over the "miocene bridge" by means of which there is believed to have been a considerable migration to and fro of the lower mammals. During the Glacial Period the passage to the New World gradually became more difficult, though the land bridge was broadened to include the whole area of Behring Sea. So remote was the time of the first peopling of America that the Amerinds have developed a uniform physical type with only such variations here and there as may be ascribed to the effects of local environment. Mr. Payne has his fling at the science of craniology, quoting from authorities antedating by some years the advance in our knowledge of ethnic anatomy and ignoring the recent valuable publications based upon it. He continually uses the term "physiology" in the sense of anatomy.

Evidence of ethnologic unity of the Amerinds is sought in their language. The method of procedure is the sound one of comparing the forms of languages not their actual substance, the particular sounds of which they consist. The attempts that have been made to prove Jewish, Greek, Turanian and other "affinities" are briefly described and the

futility of such researches shown by a forceful exposition of the instability of language. The subject of language is treated with unusual fulness, about two-fifths of the volume being devoted to it, the greater part of which might have been written if the Amerindian languages had never been known. Though it is stated that the history of speech as here traced probably could not have been recovered from the Turanian, either alone or in connection with any other group of the Old World, yet the personal basis of objective speech is emphasized and the fact pointed out that syntax is an essential function of mind. The oralization of the primitive human cry is regarded as the result of the assumption of the erect posture which necessitated eating with erected head. The development of grammar from the crude holophrase has proceeded along the same lines in American and Turanian but the American languages represent the lower stages.

A very complete account of the American calendar systems is given and the evidence ably marshalled to show that they are of independent origin. The Mexican calendar has been regarded as a very perfect device which by intercalations and corrections accommodated itself to the true course of the sun. Payne maintains that no corrections whatever were made.

In tracing the general migrations of the principal stocks of the North American continent the centre of distribution is placed on the northwest coast. Thence the Eskimos spread to the northward; the Algonquins toward the east and south; the Athapascans north and south; the Nahuatlacâ down into Mexico. Furthermore, the Mexicans are declared to be clearly related in culture to the Kwakiutls and others of the Northwest. The Mayas are regarded as the descendants of the Toltecs and hence an off-shoot of the Nahuatlacâ. The Toltecs themselves are highly praised for their achievements in the industrial and esthetic arts: they are termed the Greeks of the New World. The Dresden codex is considered the principal one of those to be ascribed to the Toltecs, and throughout this the "Man of the Sun" so largely predominates that it is denominated by Payne the "Book of Quetzalcohuatl." The codex conveys an impression of the god's attributes and history together with the Toltec conception of human advancement by successive stages, at least as far as their traditions revealed it. From the codices and from the early writers, many of whose publications are now rare, the pre-Columbian history of the Mexican pueblos is reconstructed and a detailed account given of their condition at the time of the Conquest. The conclusion is reached that their development was recent and tending toward the strengthening of the military despotism of Mexico. Tlacopan and Tezcuco were becoming mere dependencies of Mexico. The worst feature of Mexican life was the almost continuous cannibal carnival, which was ostensibly to procure victims for sacrifice, but in reality to provide animal food for the privileged class; this is to be regarded as one of the results of the absence of large animals capable of furnishing labor power and food.

In Peru the llama furnished animal food, and the customs developed in herding this animal were continued in herding the inferior tribes whom the Incas conquered. The governing tribes are brought from the southeast and the subject tribes from the east and north, some of them by sea. The limits of the Aymará and Quichua languages are given and the fact noted that both arose from the same stock. Notwithstanding the fact that the Peruvians had developed pictographs and systems of writing to a much less extent than the Mexicans, nevertheless reliable evidences of Inca history existed at the time of the Conquest which verify their oral traditions in a remarkably clear and complete manner. The character and influence of the eleven pre-Spanish Incas are described in detail, together with an excellent presentation of the characteristics of the Inca political system. In the final comparison of the Mexican and Peruvian cultures Payne terms the Incas brutal and sanguinary tyrants "compared with whom the cannibal chiefs of Anahuac appear almost in the light of polished and civilized rulers." In general the Peruvian culture was of a lower grade than the Mexican. The people were lower in mental cultivation if not absolutely inferior in mental capacity. However, the Peruvian culture was presumably much more recent. The history of the conquest of Peru is reserved for the next volume.

Two features of this book are strikingly prominent: it is a philosophic essay rather than an ethnographic description of the Amerinds, and it emphasizes those phases of Amerindian culture which are unique and hence important in the building up of arguments in support of the theory of development of language or institutions. Naturally 548 pages do not permit a very complete account of a race nor does the author attempt to deal, except in the most general manner, with the majority of American stocks. The volume is provided with a very complete table of contents with corresponding marginal titles, but there are no chapter divisions or interruptions of the text from the first page to the last. Many rare publications are cited but we cannot avoid the impression that portions of the volume would have been improved by adherence to more modern authorities.

FRANK RUSSELL.

History of America before Columbus, according to Documents and Approved Authors. By P. DE ROO. (Philadelphia: J. B. Lippincott Co. 1900. Pp. 1, 613; xxiii, 613.)

THESE handsome volumes are a monument alike of the author's industry, and of his utter lack of the historic sense. In fact the work must be looked at not so much as a history, as a polemic in support of the claim that there are to be found in America "vestiges of a Christianity, which evidently was not introduced by the relatively late Northmen;" and as an extended narrative of the early Roman Catholic missions to Greenland. The questions of the origin and antiquity of man upon this continent, the claim that America was known to the ancient Greeks and

Romans, and the alleged many early voyages to these shores, are all discussed at great length, but in a spirit of mingled dogmatism and credulity which sadly interferes with any proper judicial weighing of the authorities cited.

The author states that the work has grown out of the labors of years in searching the Vatican Secret Archives "to obtain reliable information regarding the history of one of the Roman pontiffs, Alexander VI., who is as much slandered as he is little known." The only real contribution to knowledge we have found in the work, consists in an appendix of about one hundred pages, comprising twenty-two documents from the Vatican archives, nine from the Lateran Archives, and nine from various libraries in Rome, all relating to the early Greenland missions.

Perhaps the best indication of the spirit in which the work is conceived may be given by simply quoting the titles of some of its chapters: "The Bible known in ancient America;" "Christ and his Cross known in ancient America;" "Baptism and Holy Eucharist known in ancient America." It is difficult to take seriously vagaries such as these, and we do not believe they will be countenanced by sober-minded historical students belonging to the same religious persuasion as the author. His liberal conception of what constitutes evidence may be inferred from his suggestion that there "be established a continental museum of American antiquities" to contain "ancient crucifixes, crosses and Christian books and relics discovered, *or yet to be discovered*, in our hemisphere" (I. 456); or from his expectation that "some Saga speaking of these countries, *i. e.*, S. E. Greenland, may yet be found" (II. 441); or from his acceptance of the childish fable that Latin books were found in the king's library in the Estotiland of the Zeni (*i. e.*, the New England states, New Brunswick and Nova Scotia) (II. 267).

We will merely attempt to select a few nuggets as samples of the wonderful discoveries in ancient history to be found in these remarkable volumes. We are told that "the Mound-Builders' voyages across the Atlantic were rather from West to East than in the opposite direction . . . and that the Danish mounds are venerable monuments testifying to another discovery and partial settlement of the Old World by an American nation" (I. 81). These "discoveries of Europe by ancient Americans, if their numerous landings on European soil could be titled with this misnomer" are much insisted upon (I. 172). We are assured that "the aboriginal inhabitants of our hemisphere have not till this day received their need for ancient bravery, nautical skill, and wonderful attainments in geography, and in every branch of material advancement, and of civilization generally" (I. 173). We are further instructed regarding the very early beginnings of civilization upon this continent, which "were brought into America by the nearest descendants of the patriarch Noe, who had taken their course in an easterly direction, landing in America, either at Behring Strait or, after sailing through Polynesia, on the Western coast of Central America and Peru, as is plainly intimated by the ancient monuments of those countries" (I. 191). So

far as the introduction of Christianity is concerned, we are told that "while there are to be found in America some prehistoric vestiges that point to the apostle St. Thomas's presence" (I. 217), yet this "is not absolutely proved; while on the contrary there are no arguments wanting to make us believe that the origin of the vestiges of Christianity, still existing on the continent at the beginning of the sixteenth century, is not anterior to the sixth or seventh century of our era" (I. 524).

Plato's Atlantis is duly accepted by our author as an historical narrative, but he has doubts about the significance of the discovery of Fusang by Buddhist monks, in the fifth century, although referring to Charles G. Leland's book on this subject as the work of an *Englishman* (I. 339). He also defends the alleged Bull of Gregory IV., in the year 835, as proving "the discovery and partial Christianization of Greenland, as well as of Iceland long before any exiled Northman first set foot on its shores" (II. 45). That these countries "were newly converted during the eleventh century is perfectly correct in regard to their Scandinavian inhabitants; but it does not disprove the fact of a previous Christian population placed by the Roman pontiff under the jurisdiction of St. Ansgar" (II. 67). The name "Greenland," according to our author, is derived not from the familiar statement in the Icelandic sagas that it was given to a newly-discovered country by Eric the Red, A. D. 985, on account of its natural features, but from its resemblance to "Cronland," the island where Jupiter chained in everlasting sleep his conquered antagonist Cronos, or Saturn, according to the veracious narrative of Plutarch, in his treatise *On the Face in the Orb of the Moon* (II. 64).

Much space is devoted to an account of the discovery of Vinland by Leif Ericson, A. D. 1000, as narrated in the Sagas, which in our author's opinion are neither mythical nor vague, and which are confirmed, he thinks, by other historical sources. But certainly his statement that it was not "recorded in writing at once," but was "for the space of *one or two generations* faithfully preserved by the Icelandic professional sagamen or story-tellers" (II. 289) is very wide of the truth. The shortest period to which such a tradition has ever been reduced is three hundred years.¹

Archaeological evidence of the presence of the Northmen upon this continent abounds, in our author's view. Professor Horsford's discovery of "Norumbega," the ancient seaport of Vinland, with all its basins, wharves, docks and canals, at Watertown, in Massachusetts, is ardently maintained, and Longfellow's *Skeleton in Armor* is made to "speak" once more; but the Dighton Rock and the Old Stone Mill at Newport, R. I., are given up. Not so, however, is the inscription upon a rock on the banks of the Potomac over the grave of Syasi the Blonde, in which were found fragments of bones and two Byzantine coins, "all of which interesting articles are now preserved in the Smithsonian Institution, at Washington" (II. 322), notwithstanding the fact that Professor Joseph Henry, the secretary of the Smithsonian Institution, so long ago as

¹ Reeves, *The Finding of Winland the Good*, p. 23.

March, 1869, exposed the hoax and disclosed the author of it in the *Historical Magazine*. Equal faith is reposed in the mythical equestrian statue, erected on the summit of Corvo in the Madeira Islands, and the author inquires "Was the statue erected as a guide to point out to other northern sea-rovers and to Columbus the route to follow to the centre of the New World?" (II. 323).

There are some strange blunders in New England geography, such as "Kent county, Massachusetts," and "the city of Rutland, Massachusetts" (II. 313), and we are sceptical about "honey-dew," such as Leif gathered in abundance, being yet distilled in the island of Nantucket (II. 218); and that in the Black Death, A. D. 1347, "in the city of London only fourteen persons survived" (II. 414).

We will conclude with one other erroneous statement: "Claudian, a poet, tells, in the year 390, that the Emperor Theodosius had frightened the far distant isle (Thule) with the sound of his Getish wars" (II. 520). The truth is that Theodosius, the great general (father of the emperor of the same name), A. D. 370, repelled the attacks of the Picts and the Scots upon Britain, and it is this to which Claudian refers.

In view of the flood of light our author has shed upon the ancient history of this continent, we look forward with much interest to his forthcoming work, in which he intends to "prove that Alexander VI. was too great and disinterested a character to be thrown among his Italian officials and not become aspersed by their reviving paganism" (II. 464, note).

H. W. H.

The Transit of Civilization from England to America in the Seventeenth Century. By EDWARD EGGLESTON, Author of *The Beginners of a Nation*. (New York: D. Appleton and Company. 1901. Pp. x, 344.)

THE full title of Dr. Eggleston's book is hardly lucid; the abridged form of it which appears on the cover—"The Transit of Civilization"—is obscure; and only the reverse of the leaf which precedes the title-page informs us that the work forms part of his "History of Life in the United States." Carping though critical mention of such details may seem, these details are the first which come to mind when one considers the total effect of the book in question. The indefiniteness of the titles proves unfortunately characteristic of the chapters which they name. As a whole, for all their interesting passages, these are confused, bewildering and sometimes misleading.

Yet Dr. Eggleston's subject is not only interesting but important. His purpose was to set forth the precise state of European civilization at the time when our country was finally settled, to explain the mental and moral condition of the generation which implanted itself in American soil, and in some degree to point out how the pristine ideas and ideals, convictions and errors, of our national ancestry have affected our national

growth and character. In setting about this work he found that "there was little help in anything American" and that he "could not count on anything English;" that he must "build a description from the ground. The complex states of knowing and thinking, of feeling and passion, must be explained. The little world as seen by the man of the seventeenth century must be understood. Its sun, moon, and planets were flames of fire without gravity, revolved about the earth by countless angels; its God governed this one little world with mock majesty." And so his preface goes on, pleasantly and not very clearly, to tell how the range and diligence of his reading extended. The fact of his conscientious research is further attested, if attestation were needed, by copious marginal references, which make his pages frequently remind one of a folio Burton, and by the numerous and closely printed supplementary notes—"Elucidations" he prefers to name them—which follow each of his six chapters. Whatever Dr. Eggleston's limits, nobody can charge him with lack of industry.

If occasional and random tests can prove anything, furthermore, these references and notes are thoroughly trustworthy. When Dr. Eggleston gives you chapter and verse, and he gives them freely, you may thankfully and confidently accept his authority. And yet the final result of all this labor, which one would be so glad to praise without reserve, suggests rather than commendation a word of warning to all modern students and writers of history. It is an agreeable incidental reflection that such warning to men still young can be based on work which comes from a man so far from young in years; nothing could more surely imply that fresh youthfulness of spirit which groups Dr. Eggleston with some of our elder men of letters, whose natures to the end rose above the impediments both of time and of infirmity. Assuming for the moment, then,—what anybody, if such body there be, who did not know Dr. Eggleston's name would instantly assume,—that this book may be held a fair example of contemporary writing, one cannot point out too clearly that human minds, like human stomachs, vary indefinitely in their power of digestion. Each man's limit of acquisition each man must learn for himself; but no man who desires to produce anything more individual than a compilation can afford to take into his head at any given time more information than he can handle with vigorous intellectual energy. The analogy of physical indigestion is variously close; at sympathetic moments the mental state of modern students, turned loose to browse amid all the riches of modern libraries, seems painfully like the plethoric inconveniences which disturb healthy boys toward the end of Thanksgiving dinners.

To be more precise, the work which Dr. Eggleston undertook demanded not only such wide research as he has courageously persisted in, but also at least two supplementary processes. Which of the two is the more important need hardly be determined; both are essential. In the first place, the historian of a past civilization must somehow bring himself into imaginative sympathy with the human spirit of the times

with which he deals, until he understands not only bare facts but also how those facts made the living men feel who knew them in the flesh. In the second place, such an historian, availing himself of the perspective of time, must slowly grow to perceive the mutual relations of his facts not only to one another but also to so much of general history as comes within his vision. To take a casual example from our own times, a writer of three hundred years hence who should touch on the dancing of the eighteenth and nineteenth centuries might draw surprising inferences, or leave such inferences to be drawn, from an accurate description of the waltz as the fashionable successor of the minuet. And no amount of detailed erudition, uncorrected by imaginative sympathy, and by general knowledge of social development, could easily avoid the conclusion that our own times have been deplorably less respectable than those of our great-grandparents,—which is far from what most of us believe to be the case.

How remote, Dr. Eggleston is from imaginative sympathy with the past which he tries to revive may be inferred from that phrase of his preface which tells how the God of the seventeenth century "governed this one little world with mock majesty." Perhaps so; anthropomorphism is doubtless out of credence as well as out of fashion. But the God of our emigrant fathers was the God of Abraham and Isaac and Jacob, the God of the Psalmists and the Prophets; the God of the four Gospels which for ages were accepted as His living Word; the God of the Crusades and of the Reformation; the God to whose throne Foxe's Martyrs rose ecstatic from the flames of Smithfield; the God whose Spirit sustained amid all the horrors of a savage wilderness the indomitable courage of the Pilgrims and of the Puritans; the God to whose service Cromwell gave himself; the God for whom the Ironside soldiery laid down their lives. They had their errors,—saints, apostles, prophets, martyrs, and the rest; but their widest error seems less than that of a modern historian who finds in the majesty of their Divinity even a tinge of mockery. Only those who can thrill with devout fervor as the words of the elder centuries begin to glow again with the life which once was in them can understand the spiritual truth wherein their formal misconceptions fade at last, like misty clouds in the fathomless blue of sunny skies.

Just such misleading lack of sympathy as that "mock majesty" seems to imply appears throughout Dr. Eggleston's six chapters. The titles of these chapters incidentally indicate his second great fault—confused perception of the relations which the separate parts of his subject bear to one another. Here then are titles in turn: I. "Mental Outfit of the Early Colonists;" II. "Digression Concerning Medical Notions at the Period of Settlement"—though why this is any more digressive than the chapters which follow is not evident; III. "Mother English, Folk-Speech, Folk-Lore, and Literature;" IV. "Weights and Measures of Conduct;" V. "The Tradition of Education;" VI. "Land and Labor in the Early Colonies." Again it may seem unfair to base criticism on

a mere table of contents; this table, however, in its apparent lack of system—for the thread which binds it together, if there be one, is not evident, even to a careful reader,—really typifies the confusion of the whole book. The faint yet pervasive use of metaphor, too, freshly obscures meaning. So in the end it is not suprising that one lays down the *Transit of Civilization* with some misty impressions which very likely Dr. Eggleston never meant to make. To take at random a single one of these, he can hardly have intended to inform readers unlearned in the law that an ordinary method of conveying real property in old New England was unsupported livery of seisin. His researches must have brought him in sight, for example, of such things as the published volumes of Suffolk Deeds, and Thomas Lechford's Note-Book. To take another of these impressions, he can hardly have intended, at a time when state universities still maintain alternative schools of homoeopathic medicine, and educated people flock to seminaries of Christian Science, that we should serenely smile at the medical superstition of three centuries ago, as if all such superstition were dead and gone. And he must know that even to this day a knowledge of Latin proves, no one can tell why, the soundest basis for mental training. And so on. His confusion might seriously mislead.

But this is more than enough of fault-finding. Though the *Transit of Civilization* had deeper faults still, it would remain a book worth reading. As a collection of out-of-the-way and curious memoranda, suggesting all manner of discursive speculation, it has a quality and a charm which queerly group it in memory with Aubrey's *Miscellanies*, and Burton's *Anatomy*, and whatever other treasuries of oddity one may be fond of. It has over these, too, the advantage that its own references to authority may always be trusted and will often prove illuminating. Last and best of all, it really points the way to a kind of American history which in time may flood our past with revivifying light. For we shall never fully know ourselves until some imaginative, sympathetic historian, mature in power and reflection, shall have shown us, in semblance of its old vitality, what was the true mental and moral condition of our emigrant fathers, in their habit as they lived.

BARRETT WENDELL.

The Expansion of the American People, Social and Territorial. By EDWIN ERLE SPARKS, Ph.D., Assistant Professor of American History, The University of Chicago. (Chicago: Scott, Foresman and Co. 1900. Pp. 461.)

EVER since the north temperate coast of the western hemisphere began to be occupied by European settlers, population and civilization have been spreading westward. So important has this westward movement been, and so much more marked than the movement in any other direction, that it is a common-place observation. All that was ever needed to prove its existence was to state the relevant facts clearly; and it does not

need any critical analysis or elaborate argument to prove that there have been some great impelling forces behind it. The forces may be difficult to identify. Perhaps some of them lie deep down in human nature among the other forces of involuntary human action. But however that may be, they have been as irresistible as they are unconscious, and as ceaseless as they are irresistible. It needs only a comparatively few carefully selected facts, skillfully interpreted and woven into a plain narrative, to make a convincing demonstration of their presence and their power; and when they are once admitted to exist what reason is there for believing that they would suddenly cease to operate when population reached the Pacific? Why should they not be expected to persist and to cause the restless pioneer to overleap barriers, northward or southward, eastward or westward, over seas or wherever else there are lands unoccupied by an equally vigorous population and culture?

In the book under review, Professor Sparks has told how population and culture have been carried from Europe to America and from the Atlantic to the Pacific by the people who have become pre-eminently the "American people;" and he has shown also how the same forces that have carried them over this region have by logical necessity launched them upon a colonial career.

The author is evidently an assiduous investigator in the highways and byways of history. He is also a believer in illustrative material. His book abounds in outline maps and photographic reproductions of title-pages, broadsides, advertisements, objects and scenes of historical interest. In the text he has sought with a few data to give a general effect; and has avoided the effort to be exhaustive in the enumeration of details. The book does not give the local history of the settlement of Virginia, or Ohio, or Kansas, or California. It is a monograph, and not a long one, on the "Expansion of the American People." Nineteen pages are allowed for bringing the narrative down to the period of American colonization; one hundred and twenty-two carry it on through the consideration of the "Pioneer life in the Ohio Valley;" fifty are devoted to the "Rounding out of the Gulf Possessions" and the "Assimilation of the Frontier French Elements;" seventy to the period from the beginning of "The Oregon Expansion" to the completion of a "Transcontinental Railroad;" and other chapters are devoted to "The National Seat of Government," "The Cumberland Road and the Erie Canal" and to American intellectual life, reforms and utopias.

Often what the narrative omits and what it contains are equally unconventional even if not always in accord with the reader's taste and judgment. Less space is given to the arguments made in Congress against the annexation of Louisiana than to the public ridicule incurred by Jefferson through his credulous belief in the existence of a huge mountain of rock salt in the new territory. The Indian wars of St. Clair and Wayne are treated of in a foot-note of six lines; but half a page is filled with typical songs of the Ohio flat-boat-men. The arguments for and against internal improvements are curtly treated; but the information, that between

1806 and 1838 sixty separate appropriations aggregating \$6,821,246, were made for the Cumberland road alone, is made to speak forcibly of the general determination of the people to have internal improvements at national expense. Thus amusing incident and significant fact, both alike gleaned from researches in the original sources, jostle against each other. Some of the expected topics are crowded out and the literary style shows departure from the sober vein of conventional historical composition.

In brief, the book contains, first, a number of significant facts not before used; secondly, considerable excellent illustrative material; and thirdly, a general but pretty definite impression of the irresistible expansion of the American people.

Of minor criticisms two only can be mentioned here. One concerns the interpretation (not peculiar to Sparks) of Jefferson's recommendation that Congress should "do *sub silentio* what shall be found necessary" to complete the acquisition of Louisiana. It must be interpreted in the light of Jefferson's proposed solution of the impending dilemma: first, secure the transfer of the territory so that France, if she should repent of her bargain, as it was feared, should repent in vain; secondly let Congress and the people freely and soberly consider whether and how they will heal the *ultra vires* action of a "guardian" government, done "beyond the constitution." What Jefferson expected was a positive act of ratification, not a decision by default that there had been no action *ultra vires*. (Cf. *Writings of Thomas Jefferson*, Ford, VIII. 244-245, notes).

The illustration on p. 295 of "A Western Mission" suggests the inquiry whether these massive stone buildings erected at Nashota, Wisconsin, by the Protestant Episcopal Church for the education of the Indians, are a typical western mission, and whether the influence of the great home missionary societies, those excellent institutions through which the East subsidized the religious work on the Frontier, does not deserve a comprehensive treatment.

FREDERICK W. MOORE.

A Literary History of America. By BARRETT WENDELL, Professor of English at Harvard College. (New York: Charles Scribner's Sons. 1900. Pp. 574.)

READERS who are familiar with Professor Wendell's other books will open his *Literary History of America* with the expectation that, whatever else it may or may not be, it will be at least interesting and suggestive. They will not be disappointed. The book is readable from beginning to end, and its point of view is often novel and stimulating. In its total effect it differs essentially from any other work on the same subject.

Rightly to understand the book it is necessary, first of all, to get a clear idea of its purpose and method. It is not a complete, detailed history of American literature, and evidently is not intended to be. In Book

I., dealing with the seventeenth century, the literature of all but the New England colonies is dismissed with a word, and of the New England writers only Wigglesworth, Anne Bradstreet, and Cotton Mather receive specific treatment. In Book II., the only eighteenth-century authors who get more than passing mention are Edwards, Franklin, Dwight (whose longest poem, "The Conquest of Canaan," is not named), Trumbull, Barlow and Freneau. In the remaining four books, which fill nearly four hundred pages, although the principal writers of the nineteenth century are each discussed at some length, the biographical details are meagre and the writings are not examined or even named with any attempt at system or completeness. A rather capricious list of "Authorities and References" does something to make up for the lack elsewhere of bibliographical detail.

A complete history of American literature then, the book is not. It cannot be used as such: it should not be judged as such. Professor Wendell would probably say that he had no occasion to do again what has already been done by others, and indeed he seems to have made no special study of our colonial and Revolutionary literature or of the minor writers of the republic. What he has given us, instead, is a series of vivacious though rather sketchy essays upon the broad facts and tendencies of American literature, with special reference to the relation of that literature to English life and literature. The essays find their unity and novelty in a thesis which is maintained throughout the book, to-wit, that by reason of our "national inexperience," or the absence of "the struggling complexity of social and political forces in densely populated regions," Americans preserved for two centuries and more a good deal of the "spontaneity, enthusiasm, and versatility" of their Elizabethan ancestors while Englishmen during the same period were rapidly developing new types of national character. In this way Professor Wendell accounts for the fact that, in spite of fundamental unity of blood, language, law, and moral ideals, the two great divisions of the English-speaking race have become so distinct and at times have been so estranged. The Revolution, for instance, "sprang from a deep temperamental misunderstanding between the native English and their American compatriots;" "while under the influence of European conditions the English temperament had steadily altered from that of spontaneous, enthusiastic, versatile Elizabethans to that of stubborn, robust John Bull, the original American temper, born under Elizabeth herself, had never deeply changed." But our author does not forget that his chief business is with the literature. His constant method, therefore, is to sketch the salient features of English history and character in the century then under consideration, show that English literature of the period reflected the national temper, sketch American history and character in the same period, and then show that the differences (in kind, not in merit) between the two literatures were due to the persistence in America of an earlier type of Englishman. Thus he says of Cotton Mather's *Magnalia* that "it groups itself not with such work as Dryden's, but rather with such earlier work as that of Fuller or even of

Burton." Of the Revolutionary political pamphlets he says that although they "were phrased in the style of the eighteenth century," they "indicate in our country a kind of intellectual activity which in England had displayed itself most characteristically a hundred years earlier." And even in the case of writers so late as those of New England in the middle of the nineteenth century he maintains that "their spontaneous aptitude for idealism, their enthusiastic love for abstractions and for absolute truth, they had derived, too, from the Elizabethan Puritans whose traits they had hereditarily preserved."

The reader gets this thesis pretty well dinned into him before finishing the book; "national inexperience" and "Elizabethan spontaneity, enthusiasm, and versatility" become very familiar sounds in his ears—a little too familiar at last, so that he is set to wondering whether the iteration of a form of words is not being made to do duty for substantial proof; and one reader, at least, arose from his reading with the impression that although there is something in Professor Wendell's theory, and something worth emphasizing, yet that there is not so much in it as its propounder thinks. It over-states the Elizabethan qualities in the settlers of New England, and under-states their grimly Puritanic qualities. It exaggerates the similarity between the Elizabethans and the later Americans. In accounting for what similarity there was, it over-estimates the effect of heredity, and under-estimates the effect which climate, race-mixture, and social, economic, and political conditions may have had in developing spontaneity, enthusiasm, and versatility in individuals whose ancestors were not conspicuous for those Elizabethan qualities. It ignores the fact that in every generation there have been many Englishmen, particularly poets and men of letters, who were not of the John Bull type, and consequently it minimizes the effect of English literature, upon contemporary American literature. Lastly, the terms employed are necessarily so inexact, and the phenomena handled are so vast and complex, that the generalizations arrived at often do not admit of close application. In discussing the literature of the seventeenth century, for instance, Professor Wendell prudently omits to point out wherein the *Bay Psalm Book* and *The Day of Doom* exemplify Elizabethan spontaneity and versatility; enthusiasm they certainly show, but it is of the same grim kind that cut down the maypoles and closed the theatres. In the eighteenth century most of the pure literature, in verse and prose, is tamely imitative of Queen Anne models, not of Elizabethan. In his treatment of individual authors of the nineteenth century Professor Wendell is obliged to lay the emphasis upon their indebtedness to English eighteenth-century literature and to the European romanticism and idealism of their own day, although he returns to his theory in the Conclusion.

But the worth of the book does not depend wholly upon the truth of its central proposition. In connection with individual authors many remarks are made that are fresh and penetrating or at least suggestive. Much truth is happily summed up in these words: "Irving, imbued with nineteenth-century romantic temper, wrote in the classical style of the

century before; Bryant, writing in the simply luminous style of his own century, expressed a somewhat formal sentimentality which had hardly characterized vital work in England for fifty years." Bryant's nature-poetry, however, particularly its relation to Wordsworth's, does not receive adequate treatment. Professor Wendell pierces close to the centre of the peculiar genius of Poe: "He had almost in perfection a power more frequently shown by skillful melodramatic actors than by men of letters—the power of assuming an intensely unreal mood and of so setting it forth as to make us for the moment share it unresistingly." The historical perspective in the following statement is illuminating: "The Yankee lecturers, of whom Emerson was the most eminent, were only half-secularized preachers—men who stood up and talked to ancestrally attentive audiences. . . . Emerson's essays, in short, prove to be an obvious development from the endless sermons with which for generations his ancestors had regaled the New England fathers." Professor Wendell's personal acquaintance with Lowell no doubt helped him to the insight here expressed: "One can feel in his literary temper two constant, antagonistic phases. His purity of taste was quite equal to Longfellow's; particularly as he grew older, he eagerly delighted in those phases of literature which are excellent. Yet all the while he was incessantly impelled to whimsical extravagance of thought, feeling, and utterance." Original and striking, although not quite satisfying, is the likening of Holmes to Voltaire. Wholly just and admirable is the frequent insistence upon two general characteristics of American literature in the nineteenth century: its instinctive moral purity; and its artistic conscience in matters of form, instead of the careless exuberance which might popularly be expected of literature in a young democracy. The forecast that "newspaper humor, the short stories of the magazines, and the popular stage seem the sources from which a characteristic American literature is most likely to spring," is at least not commonplace or superficial.

The ungracious task of mentioning certain positive faults may be performed rapidly. There are a good many errors, some of them hardly excusable, in matters of fact. What are now the concluding lines of "Thanatopsis" were not written when Bryant was seventeen but several years later; yet the date here (p. 197) is a part of the argument. Poe (p. 205) at the time of his death was certainly on the way North after visiting his betrothed; he was not left "in the gutter" but in a rumshop; he did not "find" his way to the hospital but was taken there by an old friend. Whitman did not ramble about the country "much like those half-criminal wanderers whom we now call tramps" (p. 465); he went as a printer and journalist. John Esten Cooke's novel, *The Virginia Comedians* is referred to as "A Virginia Comedy" (p. 487), and the next sentence seems to distinguish it from "certain romances connected with his native state." Professor Wendell's style has a certain spontaneous vitality and freedom, but lacks conciseness, evenness and distinction; "admirable," "once for all," "then," and "of course" are used so often that they become mannerisms. Statements, sometimes relatively unim-

portant ones, are carelessly repeated. The facetious passages are often cheap and clumsy and quite unworthy of the general level of the work. In general the form of the book is not sufficiently removed from that of the class-room lectures in which it first existed. It is unfortunate that in the many references to the social status of authors Professor Wendell has not always made it manifest that he mentions this matter merely for what light it may throw on the historical development of the literature, and not as a matter of any intrinsic consequence in that republic of letters where a palace is nothing, and a garret is nothing, but only the gift of genius from the Almighty.

After all has been said by way of adverse criticism, the fact remains that this *Literary History of America* is a fresh and original piece of work. It will doubtless strike some as cold and unsympathetic. But there is no need that all literary criticism should be emotionally sympathetic; it is even better that some should not be. There is, besides, such a thing as intellectual sympathy, and that is what we have here. The book as a whole is not rapturous and is not meant to be; in the case of several authors it is apparent, furthermore, that the historian does not find them especially congenial; but he is sincerely interested in the intellectual problems of American literature, particularly in the relations of it to the historical development of the entire English-speaking race. These problems are legitimate and interesting; and the book is so well done that it provokes the wish that in certain respects it had been done somewhat better.

WALTER C. BRONSON.

History and General Description of New France. By Rev. P. F. X.

DE CHARLEVOIX, S.J. Translated from the Original Edition and edited with Notes by Dr. JOHN GILMARY SHEA, with a new Memoir and Bibliography of the Translator by Noah Farnham Morrison. In six volumes. Vol. I. (New York: Francis P. Harper. 1900. Pp. 286.)

ANYTHING relating to the Jesuits in North America finds favor just now with the publishers. The great edition of the *Relations* is about completed and this re-issue of Charlevoix is obviously intended to be placed side by side with the magnificent monument which Mr. Thwaites has reared for himself as editor. The edition, like that of the *Relations*, is limited to seven hundred and fifty copies. It may perhaps be doubted whether the work of the Jesuits is not in danger of being unduly magnified. Yet the historical student is not the one to complain of excess of light.

Charlevoix was pre-eminently the scholarly Jesuit of the first half of the eighteenth century. In 1720 he was sent out to New France to inspect the Jesuit missions. He went through the interior of the country, and then down the Mississippi to its mouth. He also visited San Domingo. About two years he thus spent in America, and in 1722 he re-

turned to Europe to pass the remaining half of life in various houses of the Jesuit order. He had access to valuable sources of information which he used with great industry, if not always with good judgment. To write the history of the New World became his ambition. Besides an account of New France, he wrote histories of San Domingo and of the famous Jesuit mission in Paraguay, which he depicts as a concrete realization of More's Utopia. Perhaps his history of Japan marks a survival still in the eighteenth century of the conceptions that associated America with the far East. Charlevoix's *New France* is of great value, though of course he is only a secondary authority for the greater part of the period which he covers. Considering the age he is fairly free from party passion, but he holds always a brief for the Jesuit order. He was too much the man of the world to have the simple credulity of some of his brethren, and his skillful sifting of authorities is an anticipation of the better historical work of our own day. Parkman however charged him with carelessness. He is sometimes prolix. This fault is more especially in evidence in the work on New France, yet it is a sound bit of history. He wrote in 1743, just before the first of the two wars broke out in which France's power in North America was overthrown, and it is pathetic to remember that he died in 1761, just when his country, whose colonizing efforts he had studied with such minute care, was overwhelmed by disaster in the new world. His book attracted immediate attention. Both German and English editions soon appeared, so that Dr. Shea had before him pioneers in the work of translation. Dr. Shea himself is too well and too honorably known as an historical scholar of the first rank for any tribute to his memory here. The memoir prefixed to this edition is no adequate recognition of his fame—the bibliography alone having any real value.

There is danger in reprinting a translation such as this with the translator's original notes unchanged. Dr. Shea wrote more than thirty years ago. Since that time a whole generation of scholars has worked upon the history of European effort in North America. The best of Parkman's work has been completed. Mr. Justin Winsor's great history has appeared. M. de Rochemonteix has given us his history of the Jesuits, and the band of enquirers into the early history of European discovery, among whom M. Harrisse stands pre-eminent, have added enormously to our knowledge. Not only therefore, in this edition, is Charlevoix himself out of date; so also is his editor and translator, and no hint is given of the new sources of information.

So much we may say by way of criticism; yet we are glad to have this handsome edition of Charlevoix with its clear type and broad margins. Dr. Shea printed his works in editions often absurdly small, and they are, therefore, scarce. This first volume contains Charlevoix's chronological tables of the history of New France down to 1743, the time of writing; his list of authors consulted (for the time remarkably full); and the first three books of his *History*. These cover the early efforts of France in the St. Lawrence valley, the history of the French colonies in Brazil and Florida which ended in such complete disaster, and the story of the first

settlement in Acadia or Nova Scotia, until its destruction by the English from Virginia. Since Dr. Shea wrote much new material has been discovered relating to the Huguenot settlement in Florida. Fewer, but still some, new documents have also been found shedding light upon early French effort in Nova Scotia and on the St. Lawrence. In so sumptuous an edition some attempt, we must repeat, ought to have been made to bring the notes up to the level of present-day scholarship.

The German and Swiss Settlements of Colonial Pennsylvania. A Study of the so-called Pennsylvania Dutch. By OSCAR KUHN. (New York: Henry Holt and Co. 1901. Pp. 268.)

The Germans in Colonial Times. By LUCY FORNEY BITTINGER. (Philadelphia: J. B. Lippincott Co. 1901. Pp. 314.)

It is unfortunate that the history of the Pennsylvania Germans has reached the English-speaking public, for the most part, in the form of *sketches* written by laymen or laywomen who either did not know the subject, or did not understand the art of bookmaking. Attention was directed to this in the review of Cobb's *Story of the Palatines* (AMERICAN HISTORICAL REVIEW, III. 553) but since that time even more flagrant illustrations of superficial treatment of the subject have been furnished in Beidelman's *The Story of the Pennsylvania Germans*, Easton, 1898, and in Lucy Forney Bittinger's *The Germans in Colonial Times*. It can not be said, of course, of all, or even most of the writers who have contributed to the *Annual Reports* of the Society for the History of the Germans in Maryland or to the *Proceedings* of the Pennsylvania German Society, that they are trained historians, but this must be said to their credit: first, that they restrict themselves to brief periods or to definite and more or less local problems; second, that they actually collect new material and treat the matter on their own account; third, they subject their results to editorial committees for revision. In this way useful results have been obtained for both of these publications. A good instance of this kind of commendable amateur work is Hermann Schuhricht's *History of the German Element in Virginia* (eleventh, twelfth, thirteenth and fourteenth *Annual Reports* of the Society for the History of the Germans in Maryland, 1897-1900).

The work of Miss Bittinger is a narrative of the chief episodes of the history of the Germans in this country in the colonial epoch. The story is loosely thrown together, following in the main the general plan of the older German books, which took their cue from Franz Löhner's *Geschichte und Zustände der Deutschen in Amerika* (Cincinnati and Leipzig, 1847). The work is a hasty compilation, made after a brief study into the literature of the subject, but is in no sense a scientific contribution to the history of the Germans in America. The sources consulted are mentioned at the end of the book, but without any apparent reference to their order of importance or publication. This bibliography is limited almost ex-

clusively to American works, and even here we note the omission of such general accounts as Eickhoff's *In der neuen Heimat*. The pseudo-novel application of the term "Völkerwanderung" in the *Foreword* is too naïve to require comment. Moreover, it is no longer in place to speak of the Germans in America as an undiscovered or newly discovered people.

The style of the book is rugged and at times obscure, as the following passage will show (p. 15): "Men with none of that preparation of heart which our forefathers quaintly called 'experimental religion' were ordained and ministered to congregations, famished for plain teaching of duty, scholastic treatises, or furious polemics against the sins of sectarianism, the dangers of good works, and the wickedness of prayer-meetings." After this passage, such offences against style as "nor did it content the longings of many" (p. 13); "Of which Penn, like the able man that he was, took advantage," appear slight. It is regrettable that the most hasty and superficial treatments of the history of these Germans, such as S. G. Fisher's *The Making of Pennsylvania* and that of Miss Bittinger, should have come without critical revision from Pennsylvania itself and from Philadelphia, where the great original sources are so rich and numerous.

As offsetting the works above mentioned we have a really good account of the Pennsylvania Germans in Kuhn's *The German and Swiss Settlements of Colonial Pennsylvania*. This is the first scholarly treatment of the general subject yet published in the English language. The author, himself to the manner born, has actually taken the trouble, not only to look up and "consult" the literature on the subject, but has, unlike his predecessors, assimilated the material of his sources and given it independent treatment. The general outline of the book overlaps at some points that of Miss Bittinger's. The chapters treat successively: The Historic Background, Settlement of the German Counties of Pennsylvania, The Pennsylvania-German Farmer in the Eighteenth Century, Language and Literature, The Religious Life, In Peace and in War, and as an appendix, Pennsylvania-German Family Names.

Attempts have been made by others to trace the causes which led to the early migration of the Germans to Pennsylvania, attempts based largely upon the older books of Häusser, *Geschichte der Rheinischen Pfalz*, and Löher, *Geschichte und Zustände*; whereas Kuhns, like everyone fully acquainted with the subject, knows of the existence of such important books as Freytag's *Bilder aus der deutschen Vergangenheit*, Riehl's charming books, especially *Die Pfälzer*, and *Culturstudien*. He institutes upon the basis of these and other still more recent authorities such as Dändliker, *Geschichte der Schweiz* (1893-1895), Höfler, *Volksmedizin und Aberglaube in Oberbayerns Gegenwart und Vergangenheit* (new ed. 1893), and E. H. Meyer, *Deutsche Volkskunde* (1898), a comparison of the Pennsylvania Germans with their European successors. These sources have been cited in such a way as to enable the reader to follow out the subject on his own account. And we cannot commend too highly to our American publishers as well as bookmakers, the German footnote

method here employed of keeping tab on the subject-matter, even of popular books. It is high time that English and American writers of treatises should cease to pose as infallible oracles by ignoring the sources from which they draw. Besides being an exasperation to the intelligent reader, such oracular books are a waste of time to the busy investigator.

While Professor Kuhns does not claim originality in the way of investigation for his book, he has, nevertheless, in addition to the feature of good method noted above, made a new contribution to the subject in the chapter on the Pennsylvania-German family names, a subject to which he has given special attention for a number of years.

Among the features specially worthy of note are: The clear presentation of the origin and relation of the various German sects in Pennsylvania, for the general reader the best statement of the subject in English; the description of the German farmer; the felicitous comparisons of the Rhenish Palatinate (Rheinpfalz) and Switzerland with German Pennsylvania; references to parallels in German literature, particularly in the case of the Pennsylvania-German proverbs and the clear presentation of the attitude of the Pennsylvania Germans toward education.

If the book were not such a good one, we should be inclined to find fault with a few points, such as the following: The exaggeration of the importance of the Mennonites as compared with their Quaker neighbors (pp. 175 f.) and the exclusive use of the term "Reformed Mennonites" instead of the happier and more local term "New Mennonites" ("New-Mennists"); and the statement that the mysticism of Kelpius was an excessive form of pietism (p. 159). Of course this mysticism has its roots farther back in Jacob Böhme and in the earlier mystics of the thirteenth and fourteenth centuries. It was rather a parallel development with pietism from the earlier impulse. Pietism finds its prototype rather in Luther and Tauler, while mysticism in the same period is represented by the disciples of Böhme, Kuhlmann, Knorr von Rosenroth and their kind (cf. Koch, *Geschichte des Kirchenlieds*, IV. 175 ff.). The statement on p. 81 that Germans as servants did not come till late in the eighteenth century seems open to question. The line between "redemptioner" and "servant" seems not to have been so strictly drawn, even in the seventeenth century; as appears from Benjamin Furly's "Collection of Various Pieces Concerning Pennsylvania" (*Penn. Mag.* Cf. also "Indentured Labor in Pennsylvania," thesis in MS. by C. A. Herrick; and F. R. Diffenderffer's treatment of the Redemptioners in *Proceedings of the Penna. German Society*, last volume).

In the discussion of flowers and horticulture we note no reference to the works of John David Schoepf, *Materia Medica Americana*, etc., Erlangen 1787, and *Reise durch einige der mittlern südl. Vereinigten nord-amer. Staaten, 1783-1784*, Erlangen 1788; or to Fr. Ad. Jul. von Wangenheim's *Beschreibung einiger nordamericanischen Holz- und Buscharten, mit Anwendung auf deutsche Forste*, Göttingen 1781, and *Beytrag zur teutschen holzgerechten Forstwissenschaft, die Anpflanzung nordamericanischer Holzarten*, etc., Göttingen 1787, folio, with excel-

lent cuts illustrating American trees). In the chapter In Peace and in War we should have expected some mention of such well-known works as J. G. Rosengarten's *The German Soldier in the Wars of the United States*, and Lowell's *The Hessians and the other German Auxiliaries of Great Britain in the Revolution*, not to speak of other important sources both English and German.

It is not quite orthodox philology to say as on page 120, that Pennsylvania-German *pf* is "simplified" to *p*; the accepted point of view is that the *p* was not mutated or shifted to the fricata *pf* in this case. In fairness to the Schwenkfelders the author might have mentioned the fact that they took definite steps toward higher education as early as 1764, and that this impulse still continues in vigorous form in the Perkiomen Seminary of Pennsburg, Pa. The statement that the Dunkards date their origin from 1719 is misleading or rather incorrect, as the beginning of the sect goes back to the Schwarzenau Brethren of 1708 (cf. Brunbaugh, *A History of the Brethren*, p. 29 ff.). The following misprints have been noted in the list of sources cited: *Eckhoff*, p. 248 for Eickhoff; *Gibson* for Gibbons.

Passing by all these minor details, we close by emphasizing the great service which such a systematic general survey as that of Professor Kuhns must render both to the general public and to historical science, by presenting in orderly form accurate statements of facts and thus clearing the way for an intelligent appreciation of further results of more detailed historical research in this field. The felicitous style of the book makes it attractive to the general reader.

M. D. LEARNED.

Conrad Weiser, and the Indian Policy of Colonial Pennsylvania. By JOSEPH S. WALTON. (Philadelphia: George W. Jacobs and Co. 1901. Pp. 420.)

THE impression which one gathers from popular treatises on American history with regard to the Indian policy of Pennsylvania is that William Penn, by one simple and praiseworthy transaction at Shackamaxon, purchased the soil of Pennsylvania from its Indian proprietors; that his successors with weaker conscience took advantage of their ignorance and defrauded them, and that this brought on the Indian troubles of 1755 and succeeding years. A very little study will suffice to shatter the simplicity of this interesting story. The whole history of colonial Pennsylvania is a history of constant Indian negotiations. Penn bought up the southeastern corner by piece-meal. His successors continued the transaction and the last section was not purchased till 1782.

Various factors complicated the problem for both white and red men. In the first half-century of provincial life there was but one party in the colonial government so far as the Indian question was concerned. Later, when the proprietors pulled one way and the popularly elected assembly another, each tried to gain certain advantages by thwarting the plans of

the other. Then there was the rivalry of the colonies to the North and South for the Indian trade and the constant fear up to 1760 of the designs of the French. Equally intricate were Indian politics. William Penn purchased the land from the Lenape Indians on the Delaware. After his death, the Iroquois claimed a lordship over these Delaware Indians and demanded a repurchase of the soil from them. They in turn were divided among themselves—some being warm friends of the New York English and others inclining toward the French. They scorned the Pennsylvania Indians and rudely asserted their exclusive claims to the soil. These claims the Delawares and Shawnees admitted till, driven into opposition by the injustice of the Pennsylvania proprietors and the tyranny of the Iroquois, they threw themselves into the arms of the French. To preserve a balance among all these conflicting interests of red and white men required diplomacy of a skilful order. It is to unravel this diplomacy during its most complicated times from 1731 to 1758 that the book before us is written.

Much of the interest of the narrative settles around the name of Conrad Weiser. This man of German stock spent fifteen years of his boyhood and early manhood among the Six Nations. He learned their languages and adopted their customs and prejudices. The Delaware Indians charged him with being an adopted Mohawk, and this nation gave him the high praise that "He wore out his shoes in our messages and dirtied his clothes by being amongst us, so that he is as nasty as an Indian."

This close identity gave him great influence and probably determined the neutrality of the Iroquois on several occasions when the French had them almost persuaded to lift the bloody tomahawk. The Mohawks were steady to an English alliance. The Senecas were equally inclined for a time toward the French. But Weiser kept the strong central tribe of Onondagoes faithful to neutrality, and this turned the scale. His foresight and tact were continually in use in extending the Pennsylvania trade in the Ohio valley and in thwarting the designs of the French. As provincial interpreter for about a quarter of a century, he was a central figure in every Indian conference. He saw the need of justice and fairness, he vigorously protested against frontier rumsellers and fraudulent traders, and no dangers or difficulties from men or nature ever daunted him.

But where an important end was to be gained, he was at least willing that doubtful means should be used. In an important conference at Lancaster the journalist says, "We were obliged to put about the glasses pretty briskly," while Weiser explained the terms of the treaty. Under the combined influence of spirits and logic the Indian signatures were secured. He seems to have been one of a number who agreed to keep Teedyuscung drunk a day each at Easton in 1758 till he was brought to the proper decision.

These lapses he probably justified by the justice and importance of the end secured. In other directions his results were not so happy. The Delaware and Shawnee Indians were driven by the Walking Purchase of

1737, the insults heaped upon them by the proprietors and the Six Nations in 1742, and the Albany treaty of 1754, into distrust, alienation, and finally the bloody events of 1755 and succeeding years. Toward this end Weiser contributed. He defended the Walking Purchase; he opposed the Moravians and the Quakers in their peaceful efforts; he tried to induce the German voters to turn against their Quaker allies and even appears to have petitioned the English government to declare the Quakers ineligible to the Assembly. He agreed with them as to the necessity of giving large Indian presents and was always trustworthy and judicious in their distribution, but *they* gave for peace and neutrality while *he* wished to give for warlike operations against the French. It was his advice to the Proprietors in 1732 that induced them to recognize the Iroquois claims to the Delaware valley, and so brought on the troubles with the resident Indians. In all the later partisan struggles between governor and assembly, he sided with the war policy of the younger Penns and their deputies in the province. While, therefore, his courage, devotion and honesty were ever at the call of the province, and his unique qualities and experience made his services of the highest value, the limitations of his diplomacy were shown by his failure to retain the friendship of the Pennsylvania Indians as he did the Six Nations.

The story is told most exhaustively by Mr. Walton. The main defect would seem to be a superabundance of detail for the ordinary reader interested in provincial affairs—a detail which sometimes obscures the main features of the history. His sources of information have been the manuscript letters of Conrad Weiser himself and of Richard Peters, and the *Archives* and *Colonial Records* of Pennsylvania. From these he has gathered a great mass of interesting information and has given an intelligible and reliable account. There are a few errors in small matters. Stenton is mentioned as the governor's mansion, and the name of James Logan is repeatedly mentioned for his son William after 1751, when James Logan died. These do not, however, seriously detract from the value of Mr. Walton's work, which will be a permanent contribution of value to our history.

The Men Who Made the Nation. An Outline of United States History from 1760 to 1865. By EDWIN ERLE SPARKS, Ph.D. (New York: The Macmillan Co. 1901. Pp. viii, 410.)

THE special student of American history will find little to interest him in this book, which is designed for the "general" and "untrained" reader. Such a design is entirely legitimate. The work of familiarizing the general reader with the history of his own country and of inciting him to further study of that history is as useful and necessary as that of investigation for the benefit of a limited number of specialists.

Dr. Sparks begins with the hypothesis "that at any given period one man will be found who is master of the situation, and events naturally group themselves about him." Starting with Franklin and closing with

Lincoln he constructs an outline of American history by grouping around the names of men whom he chooses as typical of periods in our national development the principal events of such periods. This method of writing the connected history of a country presents two difficulties, neither of which has the author wholly escaped. One is the tendency to write a series of disconnected biographies, and the other, ignoring the hypothesis upon which this book is based, to use the names of the great personalities chosen simply as convenient pegs upon which to hang the events of the eras they represent. In some chapters the man is nearly lost sight of in the narrative of events. In the chapter on Lincoln the great events of the Civil War period receive scant attention in comparison with that bestowed on the character, early life and environment of the man.

There is a danger that a book of this character may lead the general reader into the error of supposing that a few individuals, rather than social, economic and political forces, occasionally directed but never created by single individuals, have made our country what it is. Dr. Sparks tries to guard against this danger by asserting, from time to time, the presence of forces more potent in nation-building than the men to whom he is assigning that great work. When treating of the acquisition of Louisiana in violation of the constitutional scruples of Jefferson he says (p. 239): "Necessity was continuing to make the nation," and again he speaks (p. 277) of "the law of compulsion" as deciding the great constitutional question of the right to undertake internal improvements at federal expense.

With few exceptions excellent judgment has been shown in assigning to events and movements their proper relative position. Controversial questions have been fairly treated, although the author prefers to leave the question as to Webster's honesty of purpose in the Seventh of March speech unanswered. John C. Calhoun might well have been made the subject of a chapter in which the whole question of slavery in American politics could have received adequate treatment, which is lacking in the volume as it now stands. The method of treating men as exponents of particular phases of our national life occasionally leads the author to suppress or ignore important facts. Henry Clay is considered as the father of public improvements. The chapter bearing his name does not mention the great compromises with which he is associated. No mention (pp. 274-275) is made of the United States Bank as an issue in the election of 1832. The reader is left to infer that the attitude of Clay upon the subject of internal improvements was the sufficient cause of his defeat. Accuracy in the statement of facts is the rule throughout the book. An exception may be mentioned (p. 288) where 1840 rather than 1831 is given as the date when the practice of nominations for the presidency by state legislatures began to give way to nominations in national conventions.

The book seems to have been based, and legitimately so, upon secondary sources, except that the narrative is enlivened by many anecdotes, incidents, and specimens of contemporary verse that are taken from original sources. The author has included a large number of well-chosen

reproductions of old and rare prints, of clippings from newspapers, and of title-pages from original editions of important political publications. The English style is admirably adapted to the popular character of the book. It is clear and direct, dignified yet interesting. The proof-reading has been excellent and the printing and binding are what one always expects from the Macmillan Company.

MARSHALL S. BROWN.

The Frigate Constitution, the Central Figure of the Navy under Sail.

By IRA N. HOLLIS. (Boston: Houghton, Mifflin and Co. 1900. Pp. x, 264.)

The Monitor and the Navy under Steam. By FRANK M. BENNETT, Lieutenant U. S. Navy. (Boston: Houghton, Mifflin and Co. 1900. Pp. x, 370.)

AMERICAN naval history has recently received a valuable addition in two books lately published. One, *The Frigate Constitution*, by Professor Ira N. Hollis, describes that memorable period of our country's history in which our navy, like all others, was composed of sailing ships, and when its many famous deeds were performed without steam power and by the sole favor of the wind and currents.

The other book by Lieutenant Bennett of our navy entitled *The Monitor and the Navy under Steam* covers the present period, in which the development of steam and armor engrosses public attention; the *Monitor* marking the opening of that period, in the War of the Rebellion; while the *Indiana* and her type in the fighting against Cervera furnish tangible proofs of the great strides we have made in the forty years intervening.

Professor Hollis's book, *The Frigate Constitution*, has for sub-title "The Central Figure of the Navy under Sail." The history of the navy during the sail period is in a large degree represented by the record of this great ship, whose various achievements form an almost continuous thread running through long periods of our national life.

The author has given us a most interesting book, and one which, while very useful for historical reference, is made especially interesting by the author's correct and pleasing literary style. His deductions and inferences display for the most part logical and exact processes of reasoning, although we cannot agree with his assertion on page 4 that "Before the invention of the telegraph and the steam engine, campaigns were relatively much longer." We have had no great naval wars and campaigns since the later inventions, and there is nothing in the nature of things to make us believe that campaigns or battles will be shorter or longer. This is an affair of men and of nations, and their physical and nervous endurance, rather than of materials and improved mechanics. Fleets, that in the past "dodged" each other by favor of the wind, will do so more easily with steam at their disposal; we have had an example

of it in late years. The same is true of land campaigns: Germany, under certain conditions, overcame France in six months; England, on the other hand, is taking two years to finish her campaign against the Boers. History tells us that naval engagements last about four to five hours; Lissa and the Yalu were not different in this from Salamis and Lepanto. The same principle applies to campaigns, and the question will always be one of endurance. If only one side had the steam-engine wars might be shortened and campaigns and battles as well, but both have it, and armor and modern guns, in equal measure. The essential factor is now, as always, not the tool but the hand that uses it; not the weapon but the weapon-wielder.

The author is at his best in the chapters which deal with our war with Tripoli. His gift of description and clearness of style give great value and effectiveness to his brief but lucid narrative of the *Constitution* and our fleet on the Barbary coasts. The same praise is due to the chapters from seven to eleven, in which the author records in the same excellent fashion the prowess and high deeds of our noble frigate during the war of 1812.

Perhaps, however, we should assign the greatest credit to his last chapter where he sums up "what we owe to the *Constitution*;" for it is there that we perceive most clearly the philosophic turn of the author's mind. "It is seldom the event," he says, "which forms character, but rather the revelation of the possibilities within." "Slowly amid numerous humiliations and trials the common people of this country had been acquiring confidence in their union without knowing it." Some great event was needed to show them to themselves. This shock, opening their eyes to the truth, was supplied, our author tells us, by the victory of the *Constitution* over the *Guerrière*, and "brought to the surface the real feeling of the New England people." This and other similar evidences of clear thinking make Professor Hollis's book highly valuable as a contribution to history, and we venture the hope that he has much of such future historical work in prospect.

Lieutenant Bennett's book is full of clearly presented truths. That he should in the opening lines have upheld the fallacy that "The steam-engine has made the nineteenth century a period of marvellous advancement," is not important, because many people who read the book will agree with him. There are some persons of observation and intelligence, who believe that great events must be accounted for by some one special concrete cause. Their minds cling to the needle-gun as the factor which defeated the Austrians in 1866; it is more pleasing to some imaginations that the needle-gun should have done it rather than the laborious toil of thousands of Prussian officers through half a century, building up gradually great qualities of discipline and efficiency. The steam-engine did not greatly affect the nineteenth century, and is only one of numerous fruits of the growth of the race during that century indicating the quality and temper of this stage of national development. The steam-engine is a product of civilization, but not itself a producer; it is an effect not a cause.

A similar doubt hangs about the author's next statement that we have more progress to place to the credit of our nineteenth century, than did those less lucky people, who looked back through their eighteenth or seventeenth century at its achievements. This error too is very popular, and we may be sure that people of General Washington's and Napoleon's time thought the same of the eighteenth, as we do of the nineteenth century, although it may be questioned whether Washington and Napoleon themselves, with their philosophical minds, shared these views.

But why should we dwell upon errors, or perhaps only differences of opinion of author and critic, when we have before us so excellent a work, of lucid style and arrangement, and everywhere governed by the clear judgment and quick mental perception which only can make a mass of facts digestible for readers, or in any way useful to history.

The story begins with an introduction on the "Origin and Progress of Steam Navigation," a well-proportioned résumé of the whole subject. In his next chapter, "Building and Battle of the Iron Clads," the author has shown by a simple narrative of facts, the conditions which governed the creation of an armored fleet, bringing the chapter to an end with the natural climax of the engagement of the *Merrimac* and *Monitor*. This picture is made plainly visible to us by the author's excellent clearness of style, and his discretion as to the use of excessive language, enabling the reader to contemplate this remarkable event without the disturbance of mind which an inflated rhetoric frequently induces, when describing the heroic acts of history, however simple and simply performed they may have been.

Under the heading of "Some Naval Events of the Civil War" Lieutenant Bennett, in his next chapter, discusses the principal battles of that period, with a natural concentration of interest upon the operations of Admiral Farragut's fleet. In describing this hero of the sea, the author's simplicity of narrative continues unabated, and much as we admire the absence of hysterical laudation in his book, there seems something a little cold in those pages which record the noble achievements of our fleets under Farragut; but Lieutenant Bennett remembers always—and very properly it must be conceded—that he is not writing eulogies, but a history of steam development in our navy. Even in this connection, however, a very strong point could be made of Farragut's influence upon the development of a steam navy. He possessed so high an intelligence, and so keen a discernment, that it was impossible for him to be hide-bound by traditions of former days, if a real improvement in war-fleets presented itself. He never questioned the value of steam as a great factor of war, nor was any improved form of vessel or torpedo-boat or ram discredited with him because it was new or different from his traditions. It was not so with all our leaders. Some there were, of acknowledged bravery and ability, who could not rise above professional prejudices, born of a lifetime of faithful service indeed—but none the less warping their minds and limiting their power to serve their country in time of need.

H. C. TAYLOR.

Ulysses S. Grant. By OWEN WISTER. [Beacon Biographies.]
(Boston: Small, Maynard and Co. 1900. Pp. xvii, 145.)

SOME most striking paragraphs about Grant are to be found in this pocket volume. Witness the first page:

"At the age of thirty-nine, Grant was an obscure failure in a provincial town. To him and his family, for whom he could not earn needful bread, his father had become a last shelter against the struggle for life. Not all the neighbors knew his face. At the age of forty-three his picture hung in the homes of grateful millions. His name was joined with Washington's. A little while, and we see him step down, amid discordant reproach, from Washington's chair, having helplessly presided over scandal and villany blacker than the country had thus far witnessed. Next, his private integrity is darkly overcast, and the stroke kills him. But death clears his sky. At the age of sixty-three Grant died; and the people paused to mourn and honor him devotedly. All the neighbors know his face to-day." And thus, of the time following his resignation from the old army: "There came a time when he walked the streets, seeking employment. So painful was it all that those who knew him preferred to cross the street rather than meet him."

Many who watched closely at Washington throughout Grant's presidential term, and watched as unfriendly critics, will still contend that the sentence into which those eight years are condensed is quite too harsh, but it serves to call vividly to mind conditions which were a blot upon the times.

From first to last the book is incisive, and fixes attention. It deals in high praise, as well as most unsparing criticism. Throughout, it is strong in its contrasts—Grant as he was, and what, step by step, he became. The author aims at accuracy in his details, but instead of consulting the open official records has repeated many venerable myths which have been handed down through a long line of notable writers, but which for the most part had their origin in the uncertainties of information flashed through the smoke of battle. Thus, after Donelson Grant was not "put in arrest" by Halleck. Stanton authorized it, but Halleck did not do it. When Grant arrived at Chattanooga "order was nowhere." He arrived: "And forthwith order began to shape itself from formlessness." These statements are not only incorrect but libels upon a thoroughly organized and valiant army, and one that "starvation" did not turn from its purpose by so much as a hairsbreadth. Several pages are given to Gen. W. F. Smith's "scheme for the new avenue of supplies" with which Grant "was delighted." An army board of distinguished officers—Major-General Brooke president—has just decided, after exhaustive consideration of the entire record, that Rosecrans devised the plan, and Gen. Thomas ordered it executed without consulting Gen. Smith. Longstreet is represented as fighting Hooker "on Lookout Mountain" instead of in Lookout Valley when Hooker first arrived at Wauhatchie. Again, "By night Hooker was established there" (the top of the moun-

tain). No Union troops reached the top of Lookout during Hooker's battle. "As Sherman came fighting along Missionary Ridge from the left Bragg removed more troops from the centre" to oppose him. Sherman carried no part of Missionary Ridge proper, did not advance along it, and Bragg sent no troops whatever from the centre toward Sherman. On the contrary, three brigades, namely, Brown's, Cummins's and Maney's, were ordered from in front of Sherman to resist Thomas's assault in the centre.

The dozen pages towards the close of the little volume present the most graphic picture of the closing days of Lee's army yet given by any writer in such compass. The full Grant chronology is a most attractive and valuable addition to the volume. All in all it is a striking book; but the editor should have applied the test of the official records to its statements of detail.

Historic Towns of the Southern States. Edited by LYMAN P. POWELL, with introduction by W. P. TRENT. (New York: G. P. Putnam's Sons. 1900. Pp. xxxviii, 604.)

THE book before us completes the triad of volumes on the older American Historic Towns, the former numbers of the series having dealt with the historic towns of the New England and of the Middle States respectively. In the interest of clearness of thought there ought to be a more general agreement as to what states constitute "the South;" for the expression is fast becoming as vague a one as that of "the West," and quite as ambulatory. Does the word Southern convey a geographical, a social, or a political idea? From any point of view it is surprising to find that no mention is made in this volume of San Antonio, the connecting link between Latin and Anglo-Saxon America, and a city literally teeming with historic monuments. It is scarcely less unfortunate that separate chapters have not been devoted to Alexandria and Georgetown. Just why such ancient boroughs are ignored, as dead as Jamestown though they may be, and considerable space devoted both to Frederic Town—famous only by reason of Whittier's imaginary incident—and Little Rock, where not even romance appears ever to have recorded anything peculiarly striking, are among the several diverting features of the volume. Curiously enough, moreover, of the eighteen towns described herein with varying degrees of interest, fully one-fourth are southern or northern according to one's point of view.

Professor Trent's introductory essay is by all odds the most modern and valuable portion of the book. In it he sets forth at considerable length and with great clearness the manifold economic and social conditions which hindered the growth of urban communities at the South prior to the Civil War. He also throws considerable light on the various attempts of *ante bellum* leaders to foster the growth of commerce and industries—a favorite expedient having been the convention. The greatest drawback to most of the other papers is their lack of originality. Their

authors, as a rule, appear to be much more interested in the remote history of the states in which the towns they write about are situated than in the history of the towns themselves, and it is this lack of local coloring, so to speak, that causes the present volume to suffer by a comparison with its predecessors. Not that the South is lacking in towns of historic interest, for in no other part of the United States would a proper study of urban beginnings yield more fruitful results. The trouble seems to lie mainly in the absence of a trained corps of investigators. Comparatively little, for example, is said by any of these writers about city charters, municipal activity, statistics of wealth and population, or, indeed, anything else that is likely to prove either of interest or value to the student of local institutions.

Perhaps the best chapters are those represented by Mr. Yates Snowden's "Charleston," the late Mr. William Wirt Henry's "Richmond," President Lyon G. Tyler's "Williamsburg," Mr. Peter J. Hamilton's "Mobile," Professor George Petrie's "Montgomery," Judge Joshua W. Caldwell's "Knoxville," and Mr. Lucien V. Rule's "Louisville." It is noteworthy that in the article on New Orleans nothing whatever is said about such topics as Lafitte, the Civil War, or reconstruction. The book is generously illustrated. It contains a good index, and is comparatively free from typographical errors. And in spite of the imperfections indicated above, those who may perchance read the volume will not only get a better knowledge of the romance of the Old South and the promise of the New, but they will also find scattered throughout its pages many important references to original sources.

B. J. RAMAGE.

Chapters from Illinois History. By EDWARD G. MASON. (Chicago: Herbert S. Stone and Co. 1901. Pp. 322.)

THE ambition of the late Edward G. Mason, for some time president of the Chicago Historical Society, to write a scholarly and exhaustive history of the state of Illinois found realization only in five "chapters" now brought out by a Chicago firm as a posthumous work. Probably only the first of these five fragments, that entitled "The Land of the Illinois," is in its final and accepted form; yet no doubt a large part of the remaining detached essays would have found a place in the completed work. They bear the titles: "Illinois in the Eighteenth Century," "Illinois in the Revolution," "The March of the Spaniards across Illinois" and "The Chicago Massacre" (of 1812). The first was printed by the Fergus Company of Chicago, in 1881, and the third in the *Magazine of American History* for May, 1886. The others have never appeared in print.

The "Land of the Illinois" begins with what the author regards as the earliest written reference to the Illinois Indians, "a nation where there is a quantity of buffalo," as marked on the map of New France made by Champlain in 1632. From this starting-point, the narrative

proceeds with painstaking exactness and minute research until La Salle and Tonty appear, when the labor of investigation becomes a labor of delight in recounting their heroic deeds. In the full swing of appreciative and vigorous narrative, the hand of the penman is suddenly relaxed. Death stopped the story in the promise of its excellence as it cut off the writer in the very height of his usefulness. The narrative ends abruptly with the reappointment of Frontenac to the governorship of Canada in 1689. La Salle had met his tragic fate; but his faithful follower, Tonty, "first seigneur of the Isle of Tonty," was still governor of Fort St. Louis on the Illinois river.

The reader of this story of the beginnings of French dominion in Illinois is immediately struck by the almost unparalleled list of citations, necessarily led by the Jesuit Relations. Scarcely a statement is made for which two or more authorities are not given. Where these materially differ, the author has stated his preference with the clearness of the lawyer. Indeed, the legal training of Mr. Mason is most evident in the judicial severity with which he examines the numerous and often conflicting statements in manuscripts and maps of the Jesuits and traders in those evolutionary days. His style is usually as simple as a chronicle, leaving the reader to absorb the facts.

The multiplicity of names introduced makes the need of an index almost imperative. Its absence renders the book almost as useless to the student as a library would be without a catalogue. No doubt the unfinished condition of the work explains this lack; but it can scarcely ensure pardon to the publishers for the omission.

The credit for the discovery of the upper Mississippi and the Illinois valleys Mr. Mason would give to Jolliet (always so written here) rather than to Marquette. "Every reliable authority demonstrates the mistake, and yet the delusion continues." His argument rests upon the statement of Marquette that Jolliet was sent to discover new countries and he to preach the gospel; that Frontenac reported Jolliet as the man selected for this purpose; that Father Dablon confirms this statement; and that the Canadians rewarded only Jolliet for the discovery.

Father Hennepin appears as "a vain, good-natured and sadly unreliable friar." The Jesuits generally take a position of secondary importance and many appear in a way likely to be challenged by their adherents. On many points disputed by local historians, Mr. Mason speaks authoritatively. He locates Fort Crèvecoeur in Woodford county, Illinois, some distance above Peoria; traces its name not to La Salle's disappointment, as does Parkman, but to a fort of that name in the Netherlands in the capture of which Tonty had participated, or to the French noble family of that name; puts Fort St. Louis on the top of what is now "Starved Rock;" and follows Joutel in deriving the word "Chicago" from wild garlic. Quite naturally, the "first" things of Chicago occupy no little space, as when La Salle's letter headed "Du portage de Checagou 4 jan. 1683" is pointed out as the first document written entirely at what is now the western metropolis.

The chapter on "Illinois in the Eighteenth Century" is made up of a sketch of old Fort Chartres under French rule, in which an excellent description of the present appearance of the fort is given, and extracts from the minute book of Col. John Todd, who became governor of the Virginia county of Illinois in 1778. It shows the introduction of American government. "Illinois in the Revolution" covers not only the expedition of George Rogers Clark but the lesser-known forays of Tom Brady, Paulette Meillet, James Willing, and Le Balme against the English and the retaliatory excursions of Indians and British under de Ver-ville and under de Longlade.

The "Spanish March across Illinois" describes an expedition sent from Spanish St. Louis in 1781 against the British trading post at St. Joseph, where Niles, Michigan, now stands. Rejecting the usually accepted thought that it was simply a marauding expedition of Spanish, French and Indians against a common foe, Mr. Mason argues very forcefully that it was deliberately planned to substantiate the claim of Spain to the land lying between the mountains and the Mississippi, to be fully set forth at the end of the Revolutionary War. Among the author's strongest arguments is a warning letter from John Jay to Congress, enclosing an account of the expedition which had appeared in the *Madrid Gazette*.

Mr. Mason was Connecticut born, a graduate of Yale, a man of wealth, and a busy lawyer, who yet found time and energy to build up a flourishing historical society, housed in an absolutely fireproof building, and to give to the public these sketches which not only make a clear and convincing presentation of known matter but also add not a little to the usable information concerning early Illinois.

EDWIN ERLE SPARKS.

American Relations in the Pacific and the Far East, 1784-1900. By JAMES MORTON CALLAHAN, Ph.D. (Baltimore: Johns Hopkins Press. 1901. Pp. 177.)

THIS book is the outgrowth of a course of lectures delivered before graduate students in Johns Hopkins University in 1899-1900, on the origin and evolution of American enterprise and policy in the Pacific and Far East. It contains ten chapters with a subject index and an appendix.

The text covers about 150 pages, with nearly 300 footnotes; a very small space for so large a subject. By avoiding unnecessary repetition more space could have been obtained for interesting details.

Dr. Callahan deserves our special thanks for giving abstracts of several unpublished documents, including Lieutenant Ingraham's Journal of the Voyage of the *Hope*, from Boston to the northwest coast of America (p. 18), which deserves to be published in full. Unfortunately, however, he accepts too readily the statements of whatever voyager he is using at the time of writing, without taking pains to verify the statements from easily accessible sources. The account which he gives (on p. 17) of the

Metcalf Massacre differs in certain important particulars from all other contemporary accounts, but the author gives no reason for discrediting them, nor does he even refer to them. In fact there is much curious information in the book, difficult to obtain elsewhere, but loosely put together and not well digested.

From its very comprehensive title one might expect a larger view of the subject, less detail on unimportant points and a more thorough treatment of critical events. Instead there is a tendency to steer clear of debatable questions, and traverse new seas, where the course is not so well known and the sailing is smoother. Otherwise it is difficult to understand why a whole chapter is given to "the Port Lloyd Colony in the Bonin Islands," except that little notice has ever been taken of it; while in the chapter devoted to "early American interests on the Pacific coast" there is no mention whatever of the voyage of the *Columbia* on which the Columbia river was discovered. The incident is given the briefest possible mention in a foot-note (p. 20), in an earlier chapter, but with no references.

The best part of the work is that which relates to "unlocking the gates of the Orient." It is a pity that Dr. Callahan did not give more than forty pages to this subject, which has so much interest at present.

The Americanization of Hawaii, a subject on which volumes might be (and have been) written, is disposed of in twenty pages. There is probably no one topic in American relations in the Pacific which has received more attention than the question of the reason for the landing of troops from the *Boston* in Honolulu on January 16, 1893; but Dr. Callahan is content to dismiss it with the bare statement that "by request of the unopposed *de facto* government, marines from the *Boston* were landed to preserve order" (p. 130). This he bases on the statement of a single naval officer who has written a popular book on the subject. The whole chapter is too brief to be of much service without more extensive references. In its thirty-one foot-notes there is not a single reference to any of the standard histories of Hawaii, except a general mention of Jarvis.

The chapter on Samoa does more justice to its subject, and is well worth reading. The Philippines are summarily disposed of in half a dozen pages, and the book closes with a brief sketch of the "international situation in the Far East."

The title of the book makes it exceedingly difficult to form a just estimate of Dr. Callahan's work. Taking the title as it stands the book is a disappointment; much that is of importance has been left out, and too many trivial details have been introduced. On the other hand if the volume had been entitled "Brief Notes for a History of America in the Pacific and the Far East," all omissions might easily have been pardoned, and the "trivial details" would be gladly welcomed as important additions to the literature of the subject. On the whole the book is worth having. There are too many typographical errors and there is a lack of uniformity in the spelling of proper names.

HIRAM BINGHAM, JR.

Verbeck of Japan, A Citizen of no Country; A Life Story of Foundation Work inaugurated by Guido Fridolin Verbeck. By WILLIAM ELLIOT GRIFFIS. (New York, Chicago and Toronto: Fleming H. Revell Co. 1900. Pp. 376.)

To the student this book is a vexation, to the casual reader a delight. It is not placed on the solid adequate basis that this eminent missionary's personality and career deserved, yet Mr. Griffis writes with so much vividness and sympathy that during the pleasure of perusal his grave defects of conception and treatment do not offend. It is only afterwards, when we try to reproduce the picture, that we realize the shortcomings of the biography.

Here was a man of unusual course in life and of striking individuality. Born in Holland, spending his boyhood there, passing his early manhood in America practising his profession of engineering and striving for wealth, then turning his energies to theology, neglecting material pursuits, and consecrating himself to the spiritual calling of saving souls in a "heathen" land, G. F. Verbeck finally sets foot on Japanese soil at the crisis of a most pregnant and picturesque era in her history. With his great linguistic attainments (commanding six tongues), his wide appreciativeness, his tireless industry, his wonderful tact, and his high character, his services are invaluable and for years he enjoys the full confidence of the ruling and official class of the country.

He is made head of the leading college, plants the seed of the educational system of to-day, advises the organization of an army and other means of defense, is consulted on diplomatic affairs and inspires the despatch of the Iwakura embassy abroad. In reality at this portentous epoch, at the transition from medievalism to progressive modernism, he is the expert adviser to the supreme authority, and is chief among foreigners in laying the foundations of the present polity and constitutional government of the realm. Through these manifold duties he was all the abler to aid and estimate the effort to christianize which he ever held before him as the guiding star.

This favorable environment seems to have met a temperament equal to this glorious opportunity to understand the spirit of the age. The majority of missionaries everywhere have only the single eye of ecclesiasticism, and, like much of the voluminous correspondence of the Catholic priests in the sixteenth and seventeenth centuries, their records are dry and meagre except within contracted churchly channels. In talents and accomplishments at least, Verbeck was an exception to this narrowness of vision.

With this rare but happy union of the hour and the hero, the man fit for the occasion, it is justifiable to expect from his pen important revelations and valuable comments, an insight into the secret motives and mainsprings of that marvelous national transformation, a substantial addition to the history, both Christian and native, of the period.

But we are disappointed, though we have to a large extent the fulfillment of the promise made in the preface to let Verbeck speak for him-

self. It may be there was nothing more, as Verbeck may have been too busy to commit his impressions to paper. It may be that editorial prudence has suppressed matter till a more propitious time. But the selections we have and the hints of what we might have had, such as notes on epidemics (p. 97), a bit of Japanese table-talk (p. 105), and views on Japanese art (p. 177), lectures on "personal reminiscences," whet our appetite for more. Then his criticism in later years of certain race characteristics and certain phases of missionary methods would have undoubtedly aroused attention and might have been helpful. Of course it will not be seriously maintained that lack of space prevented any of Verbeck's product from incorporation, when we see the unwarranted obtrusion of the author over page after page, one chapter indeed being compactly headed "The Biographer in Tokio."

Thus the volume is made up, something of Verbeck as a man, something of him as a missionary, something of him as a statesman, interlarded with a considerable something of Griffis; a mixture of capital merits and unfortunate defects which were possibly unavoidable in part. The whole performance may be summarized as without structural purpose, unless that of mere entertainment can be called such. With this as the aim, however, it is excellently done, as Mr. Griffis blocked out his task so as to allow of a series of highly interesting essays which he has lumped together, without making apparent any systematic design to show a complete Verbeck.

C. MERIWETHER.

Canada under British Rule, 1760-1900. By Sir JOHN G. BOURINOT. [Cambridge Historical Series.] (Cambridge: University Press. 1900. Pp. xii, 346.)

SIR JOHN BOURINOT's book maintains the general level of excellence of the other volumes in the series to which it belongs, and furnishes a useful, though necessarily brief, account of Canada during the last hundred and forty years. An introductory chapter summarizes the chief events in the period of French exploration and occupation, and the political, economic and social conditions in Canada under the French régime. Then follows a review of the early years of British rule, the foundation of Nova Scotia, and the Canadian aspects of the American Revolution, an especially interesting account being given under the last head of the United Empire Loyalists, to whose subsequent political influence, particularly in New Brunswick, frequent reference is later made. The remainder of the story is grouped under the successive periods of the development of representative institutions (1784-1812), the war of 1812-1815, the evolution of responsible government (1815-1839), "a new era" of colonial government (1839-1867), marked by the union of the Canadas and the establishment of responsible government, a summary review of the evolution of confederation, and the history of Canada since 1867, when federation was achieved. A final chapter reviews the relations of Canada with the United States and the influence of the Dominion in imperial councils.

It will thus be seen that Sir John Bourinot's book is primarily a study of political development, and mainly of the working out of a form of government. Social and economic conditions, while incidentally referred to, are nowhere much dwelt upon. Sir John is too well informed on both Canadian and American history to fall into many errors in a book of this sort, and his feeling for the relative importance of things is generally sure. We do not think, however, that his treatment of the most important incident in early Canadian history—the Quebec act—is quite satisfactory. The four or five pages devoted to the subject hardly more than hint at the difficulties which the formulation of the act encountered, or the criticisms subsequently passed upon it. Sir John's chief purpose seems to be to prove that the act was not one of which the French Canadians could complain, but bespoke in a remarkable degree the justice and generosity of Great Britain; whereas it is clear that the act riveted upon Canada the problems of race and religion which have vexed the whole course of its subsequent history, and which apparently could have been more easily dealt with in 1774 than at any later time.

Sir John's discussion of the relations between Canada and the United States is, of course, rather pronouncedly British. The praise of the Canadian constitution and Canadian political methods, and, by way of contrast, not infrequent pointing out of ways in which the United States might improve the conduct of its political business are, of course, appropriate, though we do not think that Sir John can have had recent political occurrences in the Dominion particularly in mind, when he emphasizes as he does the relative success of the Canadians in freeing themselves from objectionable political influences. There runs throughout the book, indeed, a clearly perceptible vein of political pleading, of desire to score off an opponent, or show up a questionable political opposition, or defend Canada against its critics, or prove once more its loyalty to the empire. It is all interestingly done, but of course it is not exactly unbiassed history.

Appendices give comparisons, in parallel columns, of the main provisions of the constitutions of Canada and Australia, and a select list of authorities. The maps are credited to the Department of the Interior, at Ottawa.

WILLIAM MACDONALD.

A second edition of the *Manuel de Bibliographie Historique* of M. Charles V. Langlois has just been issued (Paris, Hachette). In the five years that have intervened since the first appearance of this indispensable work our supply of bibliographical aids has been largely increased, and in some fields works of the first importance have been published. One thinks at once of manuals like Gross's *Sources and Literature* and Channing and Hart's *Guide*, of journals such as the *Revue d'Histoire Moderne* and the *Archives Belges*, of the *Bibliotheca Hagiographica* of the Bollandists, the new Italian catalogue, and the French and German indexes to periodicals.

These and a number of lesser works and articles are carefully noted in the new edition, which shows the qualities of completeness, accuracy, and logical classification which we have come to expect from the author. Not only has the information been brought up to date, but the general arrangement has been considerably modified and much of the text rewritten. We have noted exceedingly few slips or omissions. The sections devoted to the United States have been notably improved, thanks to a diligent use of the *Guide to the Study of American History* and the *Library Journal*, but the account of the indexes to government publications would be more satisfactory if the author had used and cited Mr. Lane's article in the *Publications of the American Statistical Association* (Vol. VII., p. 40), and one is hardly prepared to find Professor Hart's *Source-Book* enumerated among bibliographies. On the European side, the author has overlooked the discontinuance, with the close of 1898, of the excellent bibliography of ecclesiastical history contained in the *Zeitschrift für Kirchengeschichte*, and has not called attention to the helpful notes on medieval matters published in the *Neues Archiv*. Mention might well have been made of the various makeshifts to which one must resort in default of systematic current bibliographies of English and American history; indeed the lack of such bibliographies might well have given the opportunity for some comparisons not wholly to the credit of Anglo-American scholarship. When the *Manuel* first appeared, it was announced that the part devoted to the bibliographical tools would be followed by an account of the history and organization of historical studies since the Renaissance. The opening chapter of this second part is included in the present edition, and the remainder is promised shortly. Its early publication is highly desirable, both for its own sake and because the absence of an index and a table of contents seriously interferes with the use of the first part.

CHARLES H. HASKINS.

A New Chapter in the Life of Thutmose III. By James Henry Breasted. (Leipzig, J. C. Hinrichs, pp. 31.) Professor Breasted's practically new discovery of a text of forty-nine lines, hitherto lost from sight because Brugsch and Maspero, its earlier translators, had been misled into reading it backwards, is a valuable and brilliant contribution to our meagre knowledge regarding the early history of the great conquering king, Thutmose III. The inscription contains an account of his building enterprises and offerings. The introduction, which is published in this monograph with a translation and notes, tends to confirm the much contested conclusions of Sethe presented in his *Untersuchungen*, Band I. (1896), and furnishes further data for the reconstruction of the early Thutmoside reigns. It establishes the conjecture that Thutmose III. was not of royal blood. In his youth he was a priest in the Amon temple at Karnak and later became a prophet. Apparently his only claim to the throne came through his marriage with Hatshepsut, the influential daughter of the reigning king, Thutmose I. Her father also, it

seems, was reigning only by right of marriage with her mother, the royal princess Ahmose. When the queen died, Thutmose III., at a great feast, by collusion with his former associates the powerful Amonite priests, was publicly proclaimed king by the god, who uttered an oracle and transferred to him the royal duties in connection with the ritual. The suddenness and boldness of the dramatic *coup* left Thutmose I. without authority and Thutmose III. master of the throne. Only later did his wife Hatshepsut become co-regent with him. The absence of any allusion to her in the inscription suggests that it was written after her death in the sixteenth year of his reign. The reference to offerings made in his fifteenth year confirms this conclusion. On the other hand, the absence of any mention of his Asiatic campaigns, which began in his twenty-second year, establishes the date of this important inscription between his sixteenth and twenty-second year. Only on the basis of such scholarly, fundamental work as is found in this monograph, and of which in this especial field there has in the past been a woeful lack, can a reliable history of ancient Egypt be constructed.

CHARLES F. KENT.

The Legal Protection of Woman Among the Ancient Germans. [Doctoral dissertation, University of Chicago.] By William Rullkoetter. (University of Chicago Press, 1901, pp. 96.) This thesis is, aside from certain errors of style, of judgment and of conclusion, a useful summary of available material concerning the legal protection and the status of women among the ancient Germans. As to style, it is thoroughly unscientific; the writer is at once a special pleader and a panegyrist. He is the advocate for the superiority of the German people and the exponent of "The eternal womanly." All this would have been fitting in a popular article upon Teutonic women but is out of place in a doctor's dissertation. The author is sometimes carried beyond his depth by his advocacy and accepts too literally and credits too trustingly the statements of his authorities, the creditableness of some of which is at least open to question. Errors arise from his indiscriminate use of uncredited excerpts and his utter disregard of the element of time-of-occurrence in its relation to proof. In collecting data, Mr. Rullkoetter has shown great energy and he has accomplished much in gathering from old laws and records valuable information. He has shown skill in the fitting together of the myriad scraps that make up his mosaic, but he has not been so careful in matching their colors. His work is, therefore, a patchwork, neatly joined it is true, but abounding in discordant facts. Mr. Rullkoetter seems to use as his own work the foot-notes of standard authorities, and though, as far the present reviewer has verified these foot-notes, they are cited correctly, yet we should have preferred that our author's citations might have been wholly the result of his own investigation. In using illustration and fact Mr. Rullkoetter seems to have no appreciation of the effect of time and progress upon evidence. He will bolster up a theory

with an assortment of facts grouped in one paragraph with no reference as to their dates. Yet these may and do vary from the first century before Christ to the nineteenth century after, and have no more common bearing on the case than a general resemblance in external form. The author has divided his work into chapters. In each he shows a slavish adherence to one or two standard authorities and around the theory of these he has grouped the thoughts of other and sometimes differing authorities with strange and contradictory results.

Mr. Rullkoetter has, however, made a substantial addition to the apparatus by which we may conveniently study woman in the period he has chosen. He has laid a stable foundation for a work upon society in the early Germanic period. By this thesis he has shown ability to produce such a volume. We hope that this ability will find early opportunity and exercise.

GUY CARLETON LEE.

Under the title *Histoire de l'Inquisition au Moyen Âge* (Paris, Société Nouvelle de Librairie, 1900, Vol. I., pp. xl, 631) M. Salomon Reinach has begun a translation of Mr. Henry C. Lea's great work on the medieval inquisition. The idea of a French edition was suggested by the proceedings in the Dreyfus case, and the controversies growing out of it, and the publication at a low price is evidently designed to facilitate the use of the book as anti-clerical campaign literature. Mr. Lea has, however, insisted upon the preservation of the scientific spirit of the original, and the pointing of the modern moral is confined to an occasional footnote. In general the French version gives a satisfactory reproduction; some notes and corrections have been inserted by the author and translator, and the appendix of documents is omitted. Scholars familiar with the American edition will find most to interest them in the brief account of the "historiography of the inquisition" prepared for the translation by Professor Paul Fredericq of the University of Ghent, and those among us who take pride in this splendid monument of American scholarship will be gratified at the generous recognition which the eminent Belgian, himself one of the most distinguished historians of the inquisition, gives to Mr. Lea's work. Appearing in 1888, shortly after Molinier had pronounced such an undertaking almost chimerical, the *History of the Inquisition in the Middle Ages* at once took rank as an accepted authority; and it still remains, in the words of a recent German critic whose opinion Fredericq quotes as the judgment of the specialists of every country, "the most extensive, the most profound, and the most thorough history of the inquisition which we possess." Fredericq concludes with an enumeration of the many special studies in this field which have been published in the past twelve years, and expresses the hope that Mr. Lea may some day bring out a second edition which will incorporate their results. Such a revision would be welcome, but a more pressing need is the great history of the Spanish inquisition upon which Mr. Lea has been so long engaged and which only he can write.

CHARLES H. HASKINS.

A work which is intended primarily for Dante scholars, but which will be found very useful for every student of the thirteenth century in Italy is *Arte, Scienza e Fede ai Giorni di Dante* (Milan, Hoepli). It consists of eight lectures delivered last year by eminent specialists before the Dante Society of Milan. Thus Pasquale del Giudice deals with Italian feudalism, Nino Tamassia with the life of the people, and Luigi Rocca with the Papacy and the Church; Paul Sabatier writes with fervor in French on St. Francis and the religious movement; Professor Felice Tocco analyzes with extraordinary clearness the currents of philosophic thought; Michele Scherillo discusses Dante and the study of classic poetry; Francesco Novati describes court life and poetry; and Francesco Flamini treats of popular poets and poetry. Nor should the general introduction by Gaetano Negri, President of the Royal Lombard Institute, be overlooked. Each essay is followed by an appendix containing full notes and references which testify to the writers' scholarship. The literary excellence which characterizes most of the volume will surprise readers who have not kept pace with recent Italian progress in humane studies.

The eight treatises on Latin versification which Giovanni Mari has edited in *I Trattati Medievali di Rithmica Latina* (Milan, Hoepli) are of interest chiefly to students of medieval metrics. It is true that these treatises, like the similar manuals of prose composition, introduce a large number of illustrative examples, but the poetical value of such illustrations is very slight and they tell us provokingly little concerning the life of their time. Even the *Ars Rithmica* of Jean de Garlande, who took an active part in the busy life of the University of Paris and wrote voluminously on all kinds of grammatical and rhetorical subjects, is, like the rest of his bad verse, singularly disappointing to the student of medieval culture. Of course all this is no fault of Signore Mari; from a metrical point of view the texts deserved publication, and the edition gives evidence of the sound scholarship which we should expect from a pupil of so eminent a medievalist as Francesco Novati. There is abundant opportunity for work of this quality in the somewhat neglected field of medieval Latin literature.

C. H. H.

Lives of Great Italians, by Frank Horridge (London, T. Fisher Unwin; Boston, L. C. Page and Co.), is a volume of biographical essays on Dante, Petrarch, Carmagnola, Machiavelli, Michel Angelo Buonarroti, Galileo, Goldoni, Alfieri, Cavour and Victor Emanuel. The essays on Petrarch, Machiavelli and Michel Angelo fill nearly 300 of the 470 pages, but none of them has much value for the serious historical reader. Mr. Horridge seems painstaking, but he has neither the original point of view nor the incisive style required of a biographer who wishes to appeal to a popular audience.

The *Transactions of the Royal Historical Society*, new series, Vol. XIV. (Longmans, pp. 372), opens with a presidential address by Dr.

A. W. Ward. Mr. C. H. Firth essays a new account of the battle of Dunbar. A careful study of the old evidence, combined with the new evidence afforded by a contemporary picture-plan of the battle, which he has recently found in the Bodleian Library, and which he attributes to Payne Fisher, has led him to believe that the two armies were posted in a somewhat different position, and that the battle was fought in a somewhat different way, from what is generally supposed. Miss Kate Norgate discusses the evidence for the alleged condemnation of King John by the Court of France in 1202. She has adopted M. Bémont's conclusion that the condemnation of 1203 is fictitious, and believes that the condemnation of 1202 rests solely on Ralph Coggeshall and is likewise fictitious. Mr. Walter Frewen Lord, in an acute and learned essay, which won the Alexander prize for 1899, sets forth minutely the development of political parties during the reign of Queen Anne. He takes, without fully supporting it by positive evidence, a higher view of the queen's capacity and character than is usually assumed. Miss Frances G. Davenport illustrates the Decay of Villeinage in East Anglia, by a careful study of the unpublished records of the manor of Fornsett, co. Norfolk. Mrs. D'Arcy Collyer contributes Notes on the Diplomatic Correspondence between England and Russia, in the first half of the eighteenth century, which have a close relation to her volume of the papers of Lord Buckinghamshire, noticed on a previous page of the present volume (p. 587). Mr. C. Raymond Beazley discourses on the Pilgrimage of the Archimandrite Daniel of Kiev to the Holy Land about A.D. 1106-1107. Mr. W. J. Corbett discusses elaborately and in a very interesting manner the Tribal Hidage, printed in Birch's *Cartularium*, I. 414, and discussed of late by Professor Maitland in his *Domesday Book and Beyond*. The remainder of the volume is occupied with criticisms of I. S. Leadam's papers on the inquisitions of depopulation in 1517 and the *Domesday of Inclosures*. Mr. Edwin F. Gay criticizes Mr. Leadam's arguments as based on insufficient evidence; and Mr. Leadam replies.

Mr. A. J. Grant contributes two new volumes to the Cambridge Historical Series edited by Mr. G. W. Prothero on *The French Monarchy, 1483-1789* (Cambridge University Press, 1900, pp. 311, 314). He has succeeded in his purpose of giving "a fair and impartial account of the chief events of French history both domestic and foreign, during the period covered by these volumes." The wars foreign and civil fill at least half of the work, a proportion amply supported by tradition. The writer neither claims nor exhibits any originality, and contents himself in the main with a very clear and pertinent summary of what is to be found in the standard general treatises, French and English. He has neglected the technical contributions to the subject, which might have leavened the more discursive and popular treatises. There is no mention in his bibliography of Clamageran, Gomel or Babeau. The elder De Tocqueville's antiquated *Histoire Philosophique de Louis XVI.* finds a place, but nothing is said of Jobez, who has used the archives to good

purpose. The best books leave us often at sea; why even mention popular accounts for the general reader, written with Gallic lightheartedness half a century since?

It is certainly a difficult task to give a satisfactory picture of the complicated organization of France in a single introductory chapter of sixteen pages. The author might, however, have appropriated for so important a matter some of the many succeeding pages devoted to foreign wars or at least have been more careful in his statements. It makes a bad impression to find at the very beginning that "the system of intendants dates from Richelieu" (even if the writer doubtfully takes it back later), that the nobles were exempt from the *gabelle*, and that "every one in France not belonging to the privileged classes had to buy a certain quantity of salt." Machiavelli is quoted as asserting that France had 146 bishoprics. There were but 121 dioceses in 1789, including the so-called "foreign clergy" and Corsica—and dioceses are strangely permanent divisions. The annates are defined as "the income of the first year after each new appointment."

Germany is spoken of as "torn by the Lutheran movement" before the election of Charles V., and Hadrian VI. is called a Spaniard, although the unfortunate Utrecht professor was towards sixty before he went south. Yet in spite of these slips the story is well told in the main, although it would seem with a somewhat heavy heart.

J. H. R.

The Protestant Interest in Cromwell's Foreign Relations (Heidelberg, 1900, pp. viii, 93) is the title of a Heidelberg thesis prepared by Dr. J. N. Bowman under the supervision of Professor Bernhard Erdmannsdörffer, whose sudden and unexpected death has recently been announced. If the subject is unusually broad for a doctor's thesis, it is also unusually interesting. Dr. Bowman was compelled to examine personally the greater part of the diplomatic papers of the Interregnum in order to sift out the material which had to do with his part of the subject. He very properly gave particular attention to the Protector's relations with the Baltic States, especially with Sweden, and made a journey to Stockholm to examine the Swedish archives. The material of greatest interest which he found there was the dispatches of the Swedish ambassadors in London, which have never been examined before from this point of view. One could wish that he had given us more copious extracts from them, since they have not been printed and are accessible only in the form of summaries in Kalling's valuable but scarce little work on Bonde's embassy and in Pufendorff's great work on Charles X. Dr. Bowman mentions Kalling but strangely fails to mention Pufendorff.

After a concise review of Cromwell's relations with the chief states of Europe, carefully noting in each case the rôle played by the Protestant interest, the author presents us with a convenient summary of his conclusions. It is well known that Cromwell lived in constant fear of the renewal of the religious wars and that he was anxious to unite the Protestant states in a general defensive alliance. While it is now known that

his fears were baseless, the union of such extended territories under the two branches of the Catholic house of Hapsburg lent some color to them. His religious zeal therefore very naturally found vent in an anti-Hapsburg policy, in which however the religious element was but one of several causes of antagonism, and in the author's opinion, by no means the dominant one. The Protestant interest was swallowed up in this anti-Hapsburg policy, and apart from this, the author believes, played no great rôle in the actual course of events. Or, as he expresses it, in speeches and in conversation the Protestant interest had first place, but it "loses this foremost position when looked at from the standpoint of his action and diplomacy." Dr. Bowman distinguishes however between this general Protestant interest, as he calls it, and the interference of Cromwell in favor of persecuted Protestants in Catholic states, where the Protector appears as the effective champion of toleration.

The pamphlet has the usual number of typographical errors to be expected in an English work printed in Germany, some of which unfortunately have crept into the foot-notes, making it not always easy to verify the references. There are, too, an astonishing number of inaccuracies in the quotations, which, though usually trifling in character, are nevertheless a distinct blemish. The pamphlet is to be recommended to all who are specially interested in the Cromwellian period. Unfortunately, it is already out of print.

GUERNSEY JONES.

A knowledge of Mazzini's writings is indispensable to an understanding of the undercurrents of European history and politics from 1830 to 1870, for he was not only the recognized leader of the "Revolution" in Italy and the chief foreign adviser of the French Reds, but he was also the friend of Herzen, the Russian revolutionist, and of the Spanish Republicans. An excellent volume of selections from Mazzini's writings has been made by Signora Jessie White Mario with the title *Scritti Scelti di Giuseppe Mazzini* (Florence, G. C. Sansoni). It contains representative specimens of Mazzini's personal, literary, political and philosophical writings. The historical student will find among them documents of great importance, such as the letter to Charles Albert, the Statutes of Young Italy, the terrific invective addressed to De Tocqueville and Falloux, and passages from some of the famous pamphlets, "Faith in the Future," "Italy and Rome," etc. Signora Mario adds greatly to the value of the selections by furnishing biographical and other notes, in which she gives from her personal knowledge many facts that hardly anyone else now living could give. So the volume is Mazzinian through and through.

Italian Influences. By Eugene Schuyler. (New York, Scribner, 1901, pp. 435.) This volume contains twenty-three articles by the late Eugene Schuyler. Three-quarters of them were contributed to the *Nation* in the years 1887-1889, and they all have a real cosmopolitan flavor, be-

fitting an author who was at home in many lands and cultivated in many literatures. They throw side-lights on several historical events, and are specially rich in literary gossip and allusion. Mr. Schuyler delighted to go to some out-of-the-way place and there read up at his leisure whatever of interest he could find about it. Thus at Albenga Madame de Genlis is his subject, at Savona he describes the captivity of Pope Pius VII., at San Benedetto he searches for news of some of the mountain lords of Dante's time. His paper on Prince Jem, son of Sultan Mohammed, and conspicuous in Italy as well as in the East at the end of the fifteenth century, contains, perhaps, more historical matter than any of the others. In the main, literary themes predominate. Thus, for instance, one paper is devoted to Landor on Italy, another to George Sand, a third to Dickens in Genoa, a fourth to Shelley with Byron. The story of Milton's Leonora, daughter of the "Siren" Adriana Basile, introduces us to the court life of the Gonzagas at Mantua, to the papal court under Clement IX., and to Paris in Mazarin's time. Madame de Staël and "Corinne," Désirée, wife of Bernadotte, Samuel Rogers, Hawthorne, Mrs. Browning, and Canova are discussed in other essays. There is an account of Europe and its saints, and of St. Simon of Trent, about whose martyrdom Mr. Schuyler unearths much quaint information. Purely descriptive is the essay on Castrocaro, a remote bath not far from Forlì; but even here Mr. Schuyler delves into the chronicles for the mediæval history of the place, and he also speaks in passing of Passatore, famous as a bandit during the middle of the nineteenth century, and believed by the peasantry to be the son of Pius IX. and some duchess. Mr. Schuyler's description of the celebration of the University of Bologna in 1888 is vivid and vigorous, and contains a striking picture of Carducci delivering the great address of the festival. Papers on Bologna in the eighteenth century, on Carducci's Dante lectures, on Smollett in search of health, and on Canova, complete the contents of this very interesting volume, no mere summary of which can do justice to its interest. Mr. Schuyler's writing resembles the conversation of a cultivated gentleman, who tells a story, or criticizes a book, or communicates a bit of strange lore, not primarily to instruct but to entertain; and he succeeds. Essayists of this temper are always rare, particularly at a time when specialism tends to turn out men who are too emphatic to be genial, and too cautious to be enthusiastic. Mr. Schuyler's book ought to be indispensable to any one who travels intelligently in Italy. An excellent index puts its miscellaneous information within reach of everybody.

W. R. T.

Eugene Schuyler; Selected Essays. With a memoir by Evelyn Schuyler Schaeffer (Scribner, 1901, pp. 364). Though this volume scarcely touches on historical themes, it gives us a vivacious and pleasing sketch of the life of one whose well-known works on *Peter the Great*, *Turkestan* and *American Diplomacy* justly entitle him to recognition in this magazine. The Memoir, gracefully written with the affectionate

and sympathetic spirit of a sister, occupies more than half of the volume, and forms its most valuable feature. Copious extracts from Mr. Schuyler's letters and diary gives us vivid pictures of his busy life in many lands and disclose his temper and spirit. Consul at Moscow, at Revel, at Birmingham, secretary of legation at St. Petersburg, consul-general at Constantinople and at Rome, chargé d'affaires at Bucharest, minister to Greece, Servia and Roumania, diplomatic agent and consul-general at Cairo, his varied experiences furnished a rich harvest to his eager and acquisitive mind. Facile in mastering languages, intensely interested in the political complications of Eastern Europe, possessed of rare social gifts, by his letters and his despatches he threw a flood of light on the events which made his period of public service in the East interesting and important.

Doubtless the most valuable public service which he rendered was the presentation to Europe and the world of the first authentic and official description of the massacres of Bulgarians by the Turks in 1876. Sir Henry Elliot, the British ambassador at Constantinople, refused to give credence to the reports sent by missionaries in Bulgaria of the cruelty of the Turks. Great Britain was at that time earnestly supporting the Turkish government, and was unwilling that it should be condemned by English public opinion. Mr. Schuyler, then consul-general at Constantinople, visited Bulgaria to see with his own eyes what had happened. His report startled all Europe, and prepared it to expect the Russo-Turkish war which followed.

During his journey into Central Asia which prepared him to write his *Turkestan*, his sharp eye detected malfeasance on the part of high Russian officials, and he made known the leading facts. As he was then secretary of legation at St. Petersburg, he might well have expected to hear some complaints from the Russian government. To its credit be it said, the government instead of censuring him called some of its delinquent officers to account.

The most important of the three essays in the volume is one describing a visit to Tolstoi. The last one, on "The Lost Plant," indicates that Mr. Schuyler would in all probability have produced successful works in fiction, if he had given himself to that branch of literature.

He was buried at Venice, where he suddenly died at the age of fifty. Had his life been spared, we cannot but think that he might have filled some of the more important diplomatic posts with advantage to his country. He would doubtless have made further valuable contributions to our literature.

J. B. A.

The second volume of the *Seventeenth Annual Report of the Bureau of American Ethnology* contains two papers: the first by Cosmos Mindeff is entitled "Navaho Houses," the second by Dr. J. Walter Fewkes, "Archaeological Expedition to Arizona in 1895." A brief description of the large Navaho Reservation is given and the opinion expressed that those Navahos west of the divide are superior in culture to those east

of it. They are not nomadic by nature but by necessity, for the conditions of the climate require a seasonal migration to and from the mountains for those who pursue the principal vocation of the tribe, namely, herding sheep and goats. Unlike the pueblo Amerinds the families live separately in scattered and hidden "hogans." The horses and cattle belong to the men and everything else to the women. The old clan boundaries are disappearing but each family has a definite locality where its flocks may graze and where water may be obtained, the latter being the key to the distribution of the people as it is everywhere throughout the Southwest. There is an unbroken range of these hogans from the merest summer shelter to the well-built winter hut with its framework of timbers and covering of earth. The details of the buildings and the ceremonies attending their dedication are described. The housewarmings are of a social and religious character, but they are being abandoned and even the house itself is losing its typical character and assuming the white man's pattern.

The greater part of the volume is devoted to Dr. Fewkes's paper which describes the ruins of two localities: Verde Valley and Tusayan. After giving a classification of the ruins the author supplements the account of the Verde ruins by Cosmos Mindeleff in the *Thirteenth Annual Report* by a description of the cliff-houses of the Red-rocks. The general features of the Tusayan ruins are outlined and two ruins, Awatobi and Sikyatki, which were thoroughly explored, are described at length. Awatobi was destroyed in 1700 and therefore falls within the historic period for Tusayan, but Sikyatki is wholly prehistoric. The latter lies nearer the present inhabited pueblos but not much traditional knowledge concerning it is retained by the Hopi. From both ruins many beautiful specimens of pottery were obtained that far excel the best fictile products of the modern villages. Most of this ware was obtained from the cemeteries. It may be classified as: 1. Coiled and indented ware; 2. Smooth undecorated ware; 3. Polished decorated ware; a. Yellow. b. Red. c. Black-and-white. Dr. Fewkes devotes about half the paper to the "palaeography of the pottery." The ceramic ware from Sikyatki is especially rich in picture-writing and he gives a very ingenious interpretation of the manners, customs and religious conceptions of the Sikyatkians from this source. A surprisingly large number of symbols were employed by these ancient Hopi and their decipherment would be an all but hopeless task to anyone less familiar with their modern survivals than Dr. Fewkes. It is noteworthy that symbolism rather than realism was the predominant feature of this archaic decoration. Few representations of the human figure are found and the author is of the opinion that its portrayal was of late development in Hopi art: such examples as are found occur in the interior of food-basins. Figures of quadrupeds are not abundant, reptiles are not very common and resemble those appearing in modern decoration. Figures of butterflies and moths are numerous and sometimes quite realistic though usually symbolized by triangles as at the present day upon wedding blankets and the like.

The paper is elaborately illustrated, many of the plates being colored reproductions of hand paintings. While the paper is a model of scientific description nevertheless the style is entertaining and trenchant.

FRANK RUSSELL.

Thomas Jefferson, by Thomas E. Watson. [Beacon Biographies.] (Boston: Small, Maynard and Co., 1900, pp. xv, 150.) In reading this attractive sketch it is of interest and of importance to keep in mind its author's position of leadership in a party which claims Jefferson as its founder.

A brief chronological table and a descriptive bibliography will prove serviceable to the many whom Mr. Watson's graceful introduction will incite to a closer acquaintance with his hero. However brief, the bibliography should not have failed to mention Ford's edition of Jefferson's *Writings*.

The man's portrait is sketched with telling strokes. It is remarkable that so few pages can give so comprehensive an understanding of the immense versatility of the man, of the range of his interests and information, and of his great and manifold services to state and nation. But Mr. Watson is master of a style at once terse and vivid; it is to be regretted that it is also not infrequently both undignified and intemperate.

Jefferson's failings are treated with a remarkable lightness of touch; indeed his innocence is at times emphasized at the expense of his insight. Scant acknowledgment is made of any constructive work upon which Jefferson was privileged to build. The most extended reference to Washington is an anecdote the sole point of which is to make "his own personal brand of austere dignity" seem ridiculous in comparison with Jefferson's loose unconventionality. Of the many allusions to Hamilton there is but one that is not acrid and atrabilious. He is ever the "political trader," the "adventurer," the "upstart," who with "his corrupt squadron of henchmen" is "striving to put the United States under the heels of Great Britain." In every feature of Hamilton's financial policy Mr. Watson can see nothing but a British enormity which Hamilton servilely imported with the deliberate intention that here "as in England," it might "fix a perpetual debt, an everlasting burden on the back of 'the mob' who were thus held in bondage from age to age, laboring patiently for those who owned the debt."

In short, Mr. Watson's avowed purpose, "to steer clear of the controversial,"—a thing almost impossible in narrating the life of one of the greatest of party leaders,—finds its accomplishment only in the heaping of epithets and innuendoes upon Jefferson's opponents. He has "tried to write just as the truth seems to be;" but it may be questioned whether the smoke of the political battle has not distorted the vision.

GEORGE H. HAYNES.

Collections of the Massachusetts Historical Society, seventh series, Vol. I. (Boston, the Society, pp. xxxviii, 389). Upon the first exami-

nation of this volume of "Jefferson Papers" one cannot wholly escape a feeling of disappointment that no more has been printed of the collection. Mr. Coolidge's gift to the Society, of the letters not embraced in the mass purchased by the federal government in 1848, included three thousand or more letters. Hardly more than 200 are here printed. It is true that the act of 1848 intended that the line should be drawn between public and private papers, and that these are mostly private. Yet one cannot help feeling that a society which, in its volumes of the Winthrop Papers, seemed disposed to print much that was insignificant, might have given us more of the letters of and to Jefferson. But 1800 is not of equal importance with 1700 in the eyes of historical societies, and we must be grateful for what we have. We certainly have a very interesting volume. The varied interests of the many-sided Jefferson,—interests political, literary, scientific, educational, and agricultural—all find illustration. The letters addressed to him are about as numerous as those from his pen. The series begins in 1770, and ends but a month before Jefferson's death. The last dozen letters, between the old man and his granddaughter and her husband, living in Boston, are particularly pleasing in their pictures of New England conditions and their evidence of Jefferson's interest in them. Of earlier letters, there is especial interest in those of Stockdale, the London publisher, relative to the *Notes on Virginia*, in one from Eli Whitney, relating to his great invention, and in nearly a score of excellent letters from William Short. There is a letter from the wife of Jefferson's old friend John Page, which shows curious plans made for Page's last months and for the education of his children, by continuing the office of commissioner of loans to him or to members of the family or rich friends, Thomas Taylor or Benjamin Harrison of Berkley, who would agree to turn over the salary to Mrs. Page. Letters from Thomas Cooper are always vivacious. Also, there are letters from George Ticknor and others, concerning the University.

Of the strictly political letters of Jefferson himself, the most interesting is that of June 1, 1798, to John Taylor of Caroline, the famous letter in which Jefferson dissuades from disunion suggested on the ground of the Alien and Sedition Laws. That it has been printed before, in all three of the collections of Jefferson's writings, is no bar to its being printed here, for it is not printed correctly in any of the three. The tale is a curious one. In the Randolph edition of 1829, made mostly from press copies, Jefferson quotes Taylor as having said "that it was not unwise now to estimate the separate mass of Virginia and North Carolina, with a view to their separate existence" (III. 393). In the Washington edition, (IV. 245), the reading is the same. Mr. Ford, (VII. 263), prints the same words (1896). In 1894 Mr. W. W. Henry, who in his *Patrick Henry* had on the basis of this letter called Taylor "a confessed disunionist," retracted the expression in a communication to the *Virginia Magazine*, (I. 325), having learned, from a note of George Tucker's in the *Southern Literary Messenger* for 1838 (II. 344) that the true reading should be "that it was not *unusual* now," etc., a very dif-

ferent statement. Mr. Henry's note escaped Mr. Ford's notice, but learning of Tucker's before his seventh volume came out, he has inserted a slip, incorrectly giving Tucker's reading as "that it is not *usual* now," and adding that no proof is produced beyond the "mere assertion of Mr. Tucker," and that, the press-copy having been destroyed, "it is now impossible to verify the facts." In the volume now under review, the letter is printed from the original sent to John Taylor. It reads "un-usual." There are other important differences between this and the Randolph text. The notes to this volume do not show close familiarity with the Virginia of Jefferson's time.

The Life of James Dwight Dana, Scientific Explorer, Mineralogist, Geologist, Zoologist, Professor in Yale University, by Daniel C. Gilman, President of the Johns Hopkins University. (Harper, 1899, pp. xii, 409.) This book will be welcomed by multitudes of former students at Yale, who remember Professor Dana with reverence and affection, as well as by his personal and professional friends in many lands. It is the life-story of a remarkable man, and the narrative displays all the sympathy and catholicity of spirit, the versatility of mind and the vivacity of style for which President Gilman is noted. The work is embellished with several portraits of Dana, and contains in a second part a considerable selection from his scientific correspondence with Darwin, Gray, Agassiz and others.

Professor Dana was undoubtedly a great man, in endowment, in character, in industry, and in the impulse given by him to scientific studies in America. Yet somehow, one hardly knows why, he does not seem so impressive a figure in this biography as he did in the flesh. Perhaps this is due to the fact that the material of the book is spread out somewhat thinly, and in places diluted or supplemented by matter only remotely related to its subject. Perhaps it is due to the fact that several of the themes with which Dana was earnestly engaged, in science, philanthropy and theology, no longer interest us or have taken on different forms. Possibly it may be due in part to the inevitable comparison suggested between the subject of the book and so epoch-making a mind as Darwin. Nevertheless, no one can read the work without gaining a fresh sense alike of Dana's intellectual and moral greatness, and of the immense and beneficent advance in science which, during the sixty years of his activity, he witnessed and did so much to stimulate and direct.

The de Forests of Avesnes (and of New Netherland): A Huguenot Thread in American Colonial History, by J. W. De Forest (New Haven: The Tuttle, Morehouse and Taylor Co., 1900, pp. xx, 288). In the preface the author disclaims any intention of producing a complete family history of the Avenese de Forests in Europe and America, which he declares a more serious labor than he cares to confront. He states his purpose to be merely "to discover the origin of the family,

and to trace it from that origin down to its establishment in the New World; to indicate the lineage which sprang from the ancestral emigrant, and to push one lineage down to the middle of the nineteenth century." His book is therefore chiefly genealogical in character, and is of special interest only to readers belonging to or connected with the De Forest family. The completeness of the information here given appears to be largely enhanced by researches instituted by the author not only among the rare books but among the manuscripts of European libraries, some of them seldom consulted by students. To the general reader the chief value of the book is connected with the three or four chapters bearing upon the first colonization of New Amsterdam, the present New York. It was shown by Dr. Charles W. Baird, in his *History of the Huguenot Emigration to America*, that the "Walloon and Frenchmen" (Huguenots) from Leyden who sailed from Holland to the mouth of the Hudson in 1623 (1624) were in all probability the same, with few exceptions, as the company for whom Jesse de Forest and his associates, a little over a year before, had sought permission of the King of England, through the English ambassador to the Netherlands, to settle somewhere in Virginia, that monarch's domains in the New World. Their petition is still extant, and Baird printed it, together with a photographic copy of the round-robin, signed by the petitioners with their own hands, which is still preserved in the British Public Record Office. Unfortunately no similar list of the company that actually went to New Netherland under the auspices of the Dutch States General is known to be in existence. The author of the present volume himself (page 65) is reluctantly compelled to confess: "De Forest's report of his enrollment of colonists has been sought for in vain by the Hague officials." He has been equally unsuccessful in solving the question where his ancestor died; for it is clear that whereas Jesse de Forest seems to have been the prime mover both in the application to the English and in that to the Dutch, he never reached New Amsterdam himself, though members of his family and his son-in-law, De la Montagne, did. The author thinks it probable that he died in South America.

Lieutenant-Colonel Cruikshank of Fort Erie continues his *Documentary History of the Campaign on the Niagara Frontier in 1812* by a new part (pp. 344, published by the Lundy's Lane Historical Society) marked Part IV. on the cover, Part II. on the title-page, and covering the months of October, November and December. The collection of documents is elaborate, and seems complete. They are derived from the Canadian archives and those of the State of New York, but also in large part from books and newspapers in wide variety.

Mr. Leonard Magruder Passano, of the Massachusetts Institute of Technology, a Marylander, has written for school use a small *History of*

Maryland (Baltimore, W. J. C. Dulany Co., pp. 245) which has many excellences. It is very brief; the narrative text is of but 180 pages, and many of these are occupied with pictures (the portraits not well executed). The narrative is well written, conspicuously free from all false notes of exaggerated American or Maryland patriotism, fair and sensible. It is composed, too, with remarkable intelligence as to what matters are worth including in a text-book, and what are the best traits in the character and career of the colony and state. It is not the conventional school-book. The list of books for reading might well be extended and annotated. The present constitution of Maryland, a very long document, is printed in an appendix. This is now not unusual in text-books of state history; but it may be questioned whether children get any good from the full details of most parts of these now verbose instruments, and whether it would not be a better plan to give the full text of the most important provisions, and summaries of the rest.

School History of Mississippi, for use in Public and Private Schools, by Franklin L. Riley, Ph.D., Professor of History, University of Mississippi, Secretary of the Mississippi Historical Society. (Richmond, Va.: B. F. Johnson Publishing Co., 1900, pp. 348 and appendix.) Professor Riley's book is intended for a secondary school text-book. The author has been very successful in sketching the varied episodes of Mississippi's history in clear and strong outlines. The narrative is not overburdened with details. The literary style is simple and unadorned. The illustrations are fair and the maps very good. Some of them are copies of originals which are contemporary with the facts which they are used to illustrate.

Prominent in the early history of Mississippi is the question of its southern boundary, which was not extended to the Gulf until 1810-1812. The territorial period (1802-1817) culminated in separation from the settlements on the Tombigbee and statehood for the western half. The period from 1817 to 1850 is the most peculiar and diversified. The Indian titles were extinguished; the northern counties were organized; the southern counties lost their political preponderance; and jealous sectionalism prevailed until it was swallowed up in the pride which the state justly felt in the career of its gallant First Regiment under Colonel Jefferson Davis in the Mexican war. This was also the period of the democratized constitution (1832); of banks, "flush times" and repudiation; and of the limitation of the interstate slave traffic. The question of secession occupied the whole of the decade before the war.

It is only in the treatment of the very last period, "A Decade of Progress (1890-1900)," that Professor Riley is disappointing. A stranger would not suspect from his statements how critical one of the innovations in the new constitution was nor why Senator George needed to make a brilliant defence of the state in Congress. Why does the author not state plainly that the Mississippians were dissatisfied with universal manhood suffrage and give a fair and candid account of their rea-

sons therefor? The new provisions have now been in operation for ten years and seem to give general satisfaction to those who made them. It would seem that the question is a closed one in the state. Do not the children of the state, both white and black, deserve to know the very best reasons for the step? If the people outside of the state still have two opinions about it, all the more reason why a state historian who is so fair as Professor Riley has shown himself to be in all other topics should describe it fully and dispassionately.

FREDERICK W. MOORE.

Vol. III. of the *Publications of the Mississippi Historical Society* (pp. 380) edited by the secretary, Professor Franklin L. Riley, and printed for the society at Oxford, Mississippi, contains several substantial contributions to a knowledge of the history of the State. Easily first in importance in civil history are Mr. Riley's own papers, well "documented," on the Location of the Boundaries of Mississippi, and on the Transition from Spanish to American Control in that region, and a history of banking in Mississippi by Professor Charles H. Brough. Dr. Eugene W. Hilgard's account of the Geological and Agricultural Survey of Mississippi is also of value. A high importance must attach to General Stephen D. Lee's papers on the Campaign of Vicksburg, from April 15 to the battle of Champion Hills, May 16, 1863, inclusive, and on the siege. There are some biographical papers which are useful—and some rhetorical papers which are not.

Nova Scotia Archives, II. A Calendar of Two Letter-Books and One Commission-Book in the Possession of the Government of Nova Scotia, 1713-1741. Edited by Archibald M. MacMechan, Ph.D., Professor of English Language and Literature at Dalhousie College (Halifax, pp. 270). In 1868 the late Dr. T. B. Akins brought out, at the instance of the House of Assembly of Nova Scotia, a volume of documents from those provincial archives which he had collected, arranged, bound, indexed and catalogued with so much care. Upon recent representations from the Nova Scotia Historical Society, Dr. MacMechan was employed to edit another volume from the same collection of documents. Those pieces which he has chosen are among the oldest possessed by the province, and were in some danger of perishing. They are also of high intrinsic value. The first two are letter-books kept at Annapolis, 1713-1717 and 1717-1742, by Caulfeild and subsequent governors, and a commission-book, kept there from May, 1720, to December, 1741, containing also many orders, proclamations, instructions, etc. The processes of English government in Nova Scotia during the era of Walpole are well illustrated by the volume.

A plan of Annapolis Royal and the fort at the time of the capture in 1710 is added from a contemporary manuscript. The book is edited in a careful and scholarly manner.

A TRIAL BIBLIOGRAPHY OF AMERICAN DIPLOMACY

I. PRINCIPLES.

THE sources for the study of American foreign relations are very abundant, and there are many general treatises on international law. Secondary narratives are now coming forward in considerable numbers, and the publication of monographs has begun. As yet, however, no one has attempted a systematic bibliography of the subject; and the investigator is swamped by the very wealth of his materials.

It has therefore seemed worth while to classify, enumerate and describe the most serviceable books and collections bearing on American diplomacy, though space does not allow any attempt to include the large literature of periodical articles, or to analyze the collections either topically or chronologically. This bibliography is therefore simply a check-list of the more accessible books, with such brief comment as may show their value and their bearing. In most cases works which are out of print or otherwise unavailable, however valuable, are not included. For the investigator a path may be found deeper into the literature, and to special topics, through the bibliographical aids mentioned below, and through the footnotes to treatises on international law, and narratives, histories and monographs.

Works of especial significance and usefulness are noted by an asterisk (*).

The list is not confined to the diplomacy of the United States since 1775. In the sense of the bibliography American diplomacy begins with the relations of the colonizing European countries with each other at the time of its discovery; follows out the rival claims to territory in the new world, and the treaties of delimitation; deals with commerce and the external regulation of colonial commerce, especially with other American settlements; discusses intercolonial correspondence and plans of union; describes the wars by land and sea in America during the eighteenth century, ending with the exclusion of France in 1763; and then proceeds to the foundation of a foreign office, a foreign system and a foreign policy by the Continental Congress, and thus to the diplomacy of the Federal Republic in all its ramifications.

II. BIBLIOGRAPHICAL AIDS.

The general bibliographies of American history include most of the special books on diplomacy down to about 1895, although none of them except Winsor has a distinct section on the subject. Thus Channing and

Hart, *Guide to the Study of American History* (Boston, 1897), includes lists of indexes to public documents (§ 16e); general comprehensive works (§ 20); sources of historical geography (§ 21d); biographies (§ 25); colonial records (§ 29); works of statesmen (§ 32); autobiographies (§ 33); collections of documents (§ 34); and topical references from 1492 down to 1865 (§§ 144-214). W. E. Foster, *References to the History of Presidential Administrations, 1789-1885* (N. Y., 1885), includes diplomatic materials; Bowker and Iles, *The Readers' Guide in Economic, Social and Political Science* (New York, 1891), collects some titles on pages 119-123. See also the section below on Treatises on International Law.

The following volumes have lists of books, more or less systematic, either on diplomacy in general (with such classification as makes it easy to select material on America); or on American foreign affairs only.

*Charles Calvo, *Le Droit International Théorique et Pratique*, 6 vols., (Paris, 1887-1896).—Includes an elaborate study of the literature of international law, including sources; especially Vol. I., 101-138; Vol. VI. ("Supplément Général"), xxix-lxi.

William I. Fletcher, editor, *The "A. L. A." Index, An Index to General Literature* (Boston, 1893).—An attempt to index volumes of collected essays and like materials containing specific chapters on special questions.

W. I. Fletcher and R. R. Bowker, *The Annual Literary Index* (New York, 1893—).—This is a supplement to both Poole and the "A. L. A." Index, in annual volumes (beginning with the year 1892), indexing periodicals, essays, book chapters, etc., in classified entries.

*A. P. C. Griffin, *List of Books (with references to Periodicals) relating to the Theory of Colonization, Government of Dependencies, Protectorates and related Topics* (Library of Congress, Division of Bibliography, 2d ed., Washington, 1900).—Especially serviceable on the latest diplomatic questions.

Franz de Holtzendorff and Alphonse Rivier, *Introduction au Droit des Gens* (Paris, 1889).—Part IV. of this work (pp. 351-494) is a discussion of the literature of international law, by groups, especially: English authors (§ 116); American authors (§ 117); Spanish-American and Brazilian authors (§ 119).

*Leonard Augustus Jones, *An Index to Legal Periodical Literature*, 2 vols., (Boston, 1888, 1899).—Vol. I. indexes a hundred and fifty-eight sets of periodicals down to 1886; Vol. II. indexes a few sets before 1887 which were omitted in Vol. I. and then brings down the work to cover 1887-1898, including many articles from general periodicals. The work is indispensable to the searcher for discussions on special topics.

*Josephus Nelson Larned, editor, *The Literature of American History, A Bibliographical Guide* (? 1902).—A classified bibliography of American history in general; about two thousand titles, each annotated by an expert.

*John Bassett Moore, *History and Digest of International Arbitrations to which the United States has been a Party*, 6 vols., (Washington, 1898).

—List of authorities, I. lxxxiii–xcviii; list of cases, I. lxiii–lxxxvii; the footnotes throughout are a most valuable guide to materials, and especially to official correspondence.

* William Frederick Poole, William I. Fletcher and others, editors, *Poole's Index to Periodical Literature, 1802–1881*, 2 vols., rev. ed. (Boston, 1893). *First Supplement, 1882–1886* (Boston, 1888); *Second Supplement, 1887–1891* (Boston, 1893); *Third Supplement, 1892–1896* (Boston, 1897).—A well known and invaluable series of guides to the numerous valuable articles, often by experts, in periodicals.

* United States, *Treaties and Conventions concluded between the United States of America and other Powers* (Washington, 1889).—To this volume Mr. J. C. Bancroft Davis has appended (pp. 1217–1406) very valuable historical notes, with detailed references to government publications and some other sources.

* Francis Wharton, *Digest of the International Law of the United States*, 3 vols., (Washington, 1886).—The references in this work are practically a classified bibliography of official source-material. See especially Vol. I., pp. iii–ix, "Preliminary remarks."

* Justin Winsor, *Narrative and Critical History of America*, 8 vols., (Boston, 1886–1889). Includes a critical discussion of authorities down to about 1850 (VII. 461–562); an account of the manuscript sources of American history, including archives (VIII. 413–468); and an appendix on comprehensive printed authorities (VIII. 469–507).

III. SECONDARY WORKS.

In every field of diplomacy the ground has been to some degree gone over by text-writers in international law, and by general historians; of late years a literature of special treatises and monographs has sprung up. Out of all these discussions a choice has been made in the list below of those which have most reference to American conditions and experience, which have the most useful footnotes and bibliographies, and which, from the character of their authors or from their freshness and originality, seem likely to be most to the point. Many of the secondary books also contain source-materials, in appendices or extracts.

A. General Works on American Diplomacy.

There is no one work covering the whole field of American diplomacy, both the colonial and federal periods. The following books include parts of the subject and are useful for a general survey. None of them is provided with elaborate footnotes.

William Eleroy Curtis, *The United States and Foreign Powers* (New York, 1899).—This is a little book which includes a sketch of the diplomatic service; chapters on Latin-American relations, the Monroe Doctrine and the interoceanic canal; and then a study of the relations of the United States with the various foreign powers in succession. It is not a consecutive work, nor marked by deep knowledge of international law.

John W. Foster, *A Century of American Diplomacy, 1776-1876* (Boston and New York, 1900).—This is a general study of American diplomacy by a distinguished diplomat, with a special chapter on the Monroe Doctrine from the conventional point of view. The book is strongest on the diplomacy since the Civil War.

* John Holladay Latané, *The Diplomatic Relations of the United States and Spanish America* (Baltimore, 1900).—Though including only one field of American foreign affairs, this is one of the handiest and best books on inter-American relations. Well printed, with footnotes.

* Theodore Lyman, *The Diplomacy of the United States, Being an Account of the Foreign Relations of the Country from the First Treaty with France in 1778*, 2d ed., 2 vols., (Boston, 1828).—This is a more elaborate attempt to treat American diplomacy as a separate subject, but it was written before the publication of some important materials. It comes down to 1828, including relations with Barbary powers and Latin-American states.

Alfred Thayer Mahan, *The Interest of America in Sea Power, Present and Future* (Boston, 1897). A discussion by an expert on our foreign commercial and diplomatic policy.

* John Bassett Moore, *American Foreign Policy*. (In preparation.)—This work by an experienced diplomat, when published, will include classified bibliographies, and will cover briefly the whole field of American diplomacy.

* Eugene Schuyler, *American Diplomacy and the Furtherance of Commerce* (New York, 1886).—This is a suggestive book devoted to commercial relations, written by a man who had had much experience in the consular service.

Freeman Snow, *Treaties and Topics in American Diplomacy* (Boston, 1890).—Half of this book is an abstract of treaties; the other half is made up of essays on the Monroe Doctrine, the Fisheries and the Ber-
ing Sea question.

William Henry Trescot, *The Diplomacy of the Revolution. An Historical Study* (New York, 1852). *The Diplomatic History of the Administrations of Washington and Adams, 1789-1801* (Boston, 1857).—These two books taken together are a serviceable account of the quarter-century from the beginning of the Revolution to the administration of Jefferson. Almost no footnotes.

B. General Histories containing Discussions of Diplomatic Topics.

From the numerous histories concerning considerable areas of American history the following have been selected as furnishing the largest and most pertinent discussions of foreign relations.

* Henry Adams, *History of the United States during the Administrations of Jefferson and Madison*, 9 vols., (New York, 1889-1891).—A most searching account of the diplomacy of neutral trade and the War of 1812.

George Bancroft, *A History of the United States*, first ed., 12 vols., (Boston, 1834-1874).—From discovery to 1789. Some of the volumes of this edition have footnotes.

* Hubert Howe Bancroft, *History of the Pacific States of North America*, 34 vols., (San Francisco, 1882-1890).—Great detail on the Spanish settlements and colonial controversies with the French and English; also on the annexations of Texas, California, Oregon and Alaska.

Montagu Burrows, *The History of the Foreign Policy of Great Britain* (New York, 1895).

John Andrew Doyle, *The English in America, The Puritan Colonies*, 2 vols., (London, 1887-1888); *English Colonies in America, Virginia, Maryland and the Carolinas* (New York, 1880).—A standard history of American colonization, including diplomatic relations.

* Richard Hildreth, *The History of the United States of America*, 6 vols., revised edition (New York, 1854-1855).—Some narrative and diplomatic discussions of the colonial epoch, and of the main issues under the federal government down to 1820.

William Kingsford, *The History of Canada, 1608-1841*, 10 vols., (London, 1887-1898).

* William Edward Hartpole Lecky, *A History of England in the Eighteenth Century*, 8 vols., (London, 1878-1890).—Some account of the eighteenth-century diplomacy relative to America.

* Alfred Thayer Mahan, *The Influence of Sea Power upon History, 1660-1783* (Boston, 1890).—An epoch-making book indispensable for an understanding of the wars and diplomacy of the eighteenth century, as they affected America.

Alfred Thayer Mahan, *The Influence of Sea Power upon the French Revolution and Empire, 1793-1812*, 2 vols., (Boston, 1892).—A supplement to the above volume; relates to America through the discussions of neutral trade.

* James Ford Rhodes, *History of the United States from 1850*, 4 vols., (New York, 1893- —).—Includes a most excellent discussion of the diplomacy of the United States just before and during the Civil War. Still in progress.

James Schouler, *History of the United States*, new ed., 6 vols., (New York, 1895-1900).—Brief account of diplomatic relations as a part of the general history of the United States from 1783 to 1865.

Sir John Robert Seeley, *The Expansion of England: Two Courses of Lectures* (Boston, 1883).—An account of the colonization policy of Great Britain, and its effect on England.

* Sir John Robert Seeley, *The Growth of British Policy, An Historical Essay*, 2 vols., (Cambridge, 1895).—Covers the field from 1588 to 1714; brings out the foreign relations of England on the colonial side.

Edward Smith, *England and America after Independence: A Short Examination of their International Intercourse, 1783-1872*. (Westminster, 1900.)

* Justin Winsor, *Narrative and Critical History of America*, 8 vols., (Boston, 1886-1889).—The work abounds throughout in footnotes and critical discussions of authorities. See especially Vol. III., chs. i.-iv., on the first English claims and settlements; Vol. IV., on the French, Dutch

and Swedes in America; Vol. V., ch. i., on Canada and Louisiana, chs. vii.-viii., on French and Indian Wars down to 1763; Vol. VII., chs. i., ii., on the diplomacy of the Revolution; ch. vii., on diplomacy from 1789 to 1880.

Justin Winsor, *Christopher Columbus, and how He Received and Imparted the Spirit of Discovery* (Boston, 1891); *Cartier to Frontenac: Geographical Discovery in the Interior of North America in its Historical Relations, 1534-1700* (Boston, 1894); *The Mississippi Basin; the Struggle in America between England and France, 1697-1763* (Boston, 1895); *The Westward Movement: The Colonies and the Republic West of the Alleghanies, 1763-1798* (Boston, 1897).—These four volumes are the best systematic account of the rivalries for the possession of America, including some diplomatic questions.

C. Treatises on International Law.

Many of the most valuable works on international relations are treatises on international law, especially those written by Americans, or with special reference to America. Lists of such treatises may be found in T. A. Walker, *Science of International Law*, pp. vii-xvi; Theodore D. Woolsey, *International Law* (6th ed.), pp. 405 *et seq.*; especially in Charles Calvo, *Droit International*, I. 101-138, VI. xxix-lxi. Holtzendorff, Calvo, Phillimore and Pradier-Fodéré are the fullest authorities, and, in the last editions, are among the most recent. They all freely use American precedents. The best treatises as aids to a study of American diplomacy are the following:

* Charles Calvo, *Le Droit International Théorique et Pratique* (Paris, 6 vols., 1880; 5th ed., 1887-1896).—An exhaustive treatise written by an Argentine diplomat. Vol. I., pp. 1-101, contains a brief sketch of general diplomatic history down to 1887.

Garden, Count Guillaume de, *Histoire Générale de Traités de Paix*, 15 vols., (Paris, 1848-1887).—Covers the period 1536 to 1815, and is a history of the events leading up to each treaty, but does not contain the texts.

William Edward Hall, *International Law* (Oxford, 1880; 3d edition, 1890).—Perhaps the best one-volume treatise. Many references to American precedents.

Henry W. Halleck, *International Law* (1870, Sir Sherstone Baker's edition, 1878).—Written by the former general-in-chief of the United States army. Dry but thoughtful and well analyzed. Frequent references to American precedent.

* Franz von Holtzendorff, *Handbuch des Völkerrechts auf Grundlage Europäischer Staatspraxis*, 4 vols., (Berlin, 1885-1889).—A co-operative work by eminent publicists. Abundant references to other treatises, and very numerous precedents, with reference to sources.

James Kent, *Commentaries on American Law* (New York, 1826-1830; 12th ed., by O. W. Holmes, 1873; J. T. Abdy's 2d ed., 1877).—The treatise on international law is in Volume I.

Thomas Joseph Lawrence, *The Principles of International Law* (Boston, 1895).—One of the most recent text-books.

Sir Robert Phillimore, *Commentaries on International Law*, 4 vols., (London, 1854; 3d ed., 1879-1899).—The most detailed and exhaustive work in English; with elaborate references.

John Norton Pomeroy, *Lectures on International Law in Time of Peace* (Theodore S. Woolsey's ed., 1886).—Reprint of lectures delivered in 1866-1867. Few references to sources.

Paul Louis Ernest Pradier-Fodéré, *Traité de Droit International Public Européen et Américain, suivant les Progrès de la Science et de la Pratique Contemporaine*, 7 vols., (Paris, 1885-1897).—Still incomplete; refers to late incidents and precedents; clumsy arrangement and references, not very serviceable. Many allusions to Latin-American affairs.

Thomas Alfred Walker, *The Science of International Law* (London, 1893).—Brief, clear and abounds in illustrations from recent historical events.

*Francis Wharton, *Commentaries on Law, embracing Chapters on the Nature, the Source, and the History of Law, on International Law, Public and Private, and on Constitutional and Statutory Law* (Philadelphia, 1884).—By the editor of the *Digest*. Includes a treatise on public international law at §§ 115-251; very good on American relations.

*Henry Wheaton, *Elements of International Law* (Philadelphia and London, 1836; Lawrence's 2d ed., 1863; Boyd's 2d ed., 1880).—By an eminent diplomat and publicist. A standard work, enriched with valuable notes by the American and English editors.

Henry Wheaton, *History of the Law of Nations in Europe and America from the Earliest Times to 1842* (New York, 1845).—On the progress of international law from 1648 to 1843. A study of principles rather than events.

*Theodore D. Woolsey, *Introduction to the Study of International Law, designed as an aid in Teaching and in Historical Study* (1860; 6th ed., T. S. Woolsey, 1891).—A brief and very serviceable text-book with abundant references to American practice and elaborate bibliographical material.

D. Works on Special Topics.

Under this caption have been gathered the best monographs and special discussions on diplomatic topics. Many titles have been omitted because proceeding from writers without a large reputation, or because on rather minute fields, or because superseded by something better.

American Academy of Political and Social Science, *The Foreign Policy of the United States, Political and Commercial*. Addresses and Discussions at the Annual Meeting, April 7-8, 1899 (Philadelphia, 1899).

Charles C. Beaman, *The National and Private "Alabama Claims" and their "Final Amicable Settlement"* (Washington, 1871).

George Bemis, *American Neutrality, its Honorable Past; its Expedient Future* (Boston, 1886).

* Mountague Bernard, *An Historical Account of the Neutrality of Great Britain during the Civil War* (London, 1870).

J. D. Bullock, *Secret Service of the Confederate States in Europe* (New York, 1883).

* John Bigelow, *France and the Confederate Navy, 1862-1868: An International Episode* (London, 1888).—By a former minister to France.

Edward Bicknell, *The Territorial Acquisitions of the United States: An Historical Review* (Boston, 1899).

James Morton Callahan, *The Neutrality of the American Lakes, and Anglo-American Relations* (Baltimore, 1898). *Cuba and International Relations: An Historical Study in American Diplomacy* (Baltimore, 1899). *American Relations in the Pacific and the Far East, 1784-1900* (Baltimore, 1901). *The Diplomatic History of the Southern Confederacy* (Baltimore, 1901).—These ambitious volumes, appearing in rapid succession, are perhaps not studied with extreme care.

Edmund Janes Carpenter, *America in Hawaii: A History of United States Influence on the Hawaiian Islands* (Boston, 1899).

George Coggeshall, *History of the American Privateers* (New York, 1856).

Charles Arthur Conant, *The United States in the Orient: The Nature of the Economic Problem* (Boston, 1900).

Caleb Cushing, *The Treaty of Washington; Its Negotiation, Execution, and the Discussions Relating Thereto* (New York, 1873).

* William Edward Burghardt DuBois, *The Suppression of the African Slave-Trade to the United States of America, 1638-1870* (New York, 1896).

Albert Gallatin, *On the Northeastern Boundary in Connection with Mr. Jay's Map, with a Speech on the same Subject by Daniel Webster, delivered April 15, 1843* (New York, 1843).

James C. Fernald, *The Imperial Republic, with five Maps* (New York, 1898).

James Watson Gerard, *The Treaty of Utrecht: A Historical Review of the Great Treaty of 1714* (New York, 1888).

William Elliot Griffis, *America in the East: A Glance at our History, Prospects, Problems and Duties in the Pacific Ocean* (New York, 1899).

Binger Hermann, *The Louisiana Purchase, and our Title West of the Rocky Mountains, with a Review of Annexation by the United States* (Washington, 1898).

Frederick W. Holls, *The Peace Conference at the Hague and its Bearings on International Law and Policy* (New York, 1900).—A rather optimistic account of the Conference and its work.

Lindley Miller Keasbey, *The Nicaragua Canal and the Monroe Doctrine: A Political History of Isthmus Transit* (New York, 1896).—A book of which the central thought is that every American statesman who did not insist on the exclusive rights of the United States in the Isthmus, was false to his trust.

David Starr Jordan, *Imperial Democracy: A Study of the Relation of Government by the People, Equity before the Law and other Tenets of Democracy, to the Demands of a Vigorous Foreign Policy and other Demands of Imperial Democracy* (New York, 1899).

*Thomas Joseph Lawrence, *Essays on Some Disputed Questions in Modern International Law* (2d ed., Cambridge and London, 1888).—Includes several essays on the Monroe Doctrine and Canal diplomacy.

*Alfred Thayer Mahan, *Lessons of the War with Spain, and other Articles* (Boston, 1899). *The Problem of Asia and its Effect on International Policies* (Boston, 1900).—By one of the greatest authorities on foreign relations.

John Bassett Moore, *A Treatise on Extradition and Interstate Rendition*, 2 vols., (Boston, 1891).—Includes details of many incidents of diplomatic discussion.

*Paul S. Reinsch, *World Politics at the End of the Nineteenth Century as Influenced by the Oriental Situation* (New York, 1900).

*William Fidian Reddaway, *The Monroe Doctrine* (Cambridge, England, 1898).—Perhaps the best discussion of the contemporary conditions of the doctrine.

Raphael Semmes, *Service Afloat, or the Remarkable Career of the Confederate Cruisers "Sumter" and "Alabama"* (Baltimore, 1887).

Ira Dudley Travis, *The History of the Clayton-Bulwer Treaty* (Ann Arbor, 1900).—A very thorough and sound discussion of a very important subject.

George Fox Tucker, *The Monroe Doctrine: A Concise History of its Origin and Growth* (Boston, 1885).

*Theodore S. Woolsey, *America's Foreign Policy: Essays and Addresses* (New York, 1898).

E. Periodicals containing Articles on American Diplomacy.

There is no American periodical devoted especially to international law, though there are several in which articles on international relations appear. For lists of publications and for classified references, see *Poole's Index* and Jones's *Index to Legal Periodical Literature*.—A few titles only are given, all in English.

American Academy of Political and Social Science, *Annals* (1890-).—Some studies on foreign relations, but chiefly devoted to other work. *American Annual Cyclopaedia* (40 vols. to 1900, New York, 1861-).—A valuable series, with many documents.

**American Historical Review* (New York, 1895-).—Many studies in diplomatic history.

The American Law Review (Boston, 1866-).

The Annual Register (143 vols. to 1900, London, 1759-).—A collection of materials and compilations annually published for nearly a century and a half; often very instructive.

Army and Navy Journal (New York, 1863-).

Association for the Review and Codification of the Law of Nations, *Reports of Annual Conferences*.

Forum (New York, 1886-).—Many discussions by public men.

Harper's Magazine (New York, 1850-).

* *The Nation* (70 vols. to 1900, New York, 1865-).—Editorial correspondence and reviews on many diplomatic questions.

National Geographic Magazine (Washington, 1888-).—Excellent accounts of boundary controversies.

Niles's Weekly Register (75 vols., Baltimore, 1812-1849).—An invaluable repository of current documents and discussions.

North American Review (170 vols. to 1900, Boston and New York, 1815-).—For sixty years abounding in the ablest discussions of public affairs.

Political Science Quarterly (New York, 1886-).—Many articles on foreign relations; and valuable chronological summaries of current events.

Statesman's Year Book (London, 1864-).—An annual survey of the political and statistical situation of the world.

* *The Times* (London). The great English daily; has pages devoted to foreign news from all over the world. Can be exploited by means of a special annual summary.

The Yale Review (New Haven, 1896-).—Discussions of colonization and occasionally of diplomatic questions.

The following foreign international law periodicals from time to time print discussions on American international questions.

Bulletin de la Société de Législation Comparée (Paris, 1872-).

* *Revue Générale de Droit International Public* (Paris, 1894-).

Revue d'Histoire Diplomatique (Paris, 1887-).

Revue de Droit International et de Législation Comparée, 32 vols. to 1900 (Paris, 1869-).

IV. SOURCES.

The abundant sources of American diplomatic history have as yet been too little explored: for convenience they may be classified into collections of treaties and documents; official correspondence; and private biography, memoirs and correspondence.

A. Treaties.

On the pre-constitutional treaties affecting American affairs, see a synoptical list in Woolsey's *International Law*, 6th ed., pp. 406-408, with a list of the collections of treaties. The following titles are especially serviceable for the diplomacy of the colonial period.

George Chalmers, *A Collection of Treatys between Great Britain and Other Powers*, 2 vols., (London, 1790).

Jean Dumont, *Corps Universel Diplomatique du Droit des Gens, contenant un Recueil des Traités, Capitulations Impériales et Royales*, etc., 8 vols., (1726-1731).—Contains documents from 800 A. D. to 1730. Many pieces besides treaties are included. All the texts except the Latin are translated into French. An alphabetical index to the whole at the end of Volume III., supplement.

**A General Collection of Treaties, Declarations of War, Pamphlets and other Publications, relating to Peace and War*, 4 vols., 2d ed. (London, 1732).—This collection includes materials from 1495 to 1731 and is extremely serviceable.

Thomas Rymer, *Foedera, Conventiones, Literae et cujuscunque generis Acta Publica*, 2d ed., 20 vols., (London, 1728-1735).—Comes down from 1101 to 1654. Many titles in English. A *Syllabus* in English by T. D. Hardy has been published, 3 vols., (London, 1869-1883).

*Tétot, *Répertoire de Traités de Paix* (Paris, 1866).—Practically an index to Dumont and the other great collections covering the period from 1493 to 1866.

The treaties of the federal period (1778-1901) are regularly printed with the annual statutes of the United States, and also in two official collections:

United States, *Revised Statutes of the United States relating to the District of Columbia, Post Office, Public Treaties* (Washington, 1875).

United States, *Treaties and Conventions concluded between the United States and other Powers since July 4, 1776* (Washington, 1889); also printed as *Senate Executive Documents*, 48 Cong., 2 sess., No. 47.

United States, *Compilation of Treaties in Force* (Washington, 1899).

Treaties between other American powers, or between American powers and European powers, or between European powers on American subjects, since the American Revolution, will be found in the standard collections of state papers, such as *British and Foreign State Papers*, *Archives Diplomatiques*, *Staatsarchiv*; and also in the following collections (see Tétot, *Répertoire des Traités*).

*Carlos Calvo, *Coleccion Completa de los Tratados, Convenciones, Capitulaciones, Armisticios y otros Actos diplomáticos de todos los Estados de la América Latina . . . desde 1493*, 11 vols., (Paris, 1862-1869).—Comes down to 1823; includes also Spanish and Portuguese treaties in the colonial period.

Martens and Cussy, *Recueil Manuel et Pratique de Traités, Conventions et autres Actes Diplomatiques*, 7 vols., (Leipzig, 1846-1857). Gives significant parts of treaties or refers to their source. Covers the period 1760-1856.—An abridgment of the great Martens, *Recueil*, etc. The latter continues Dumont and Wenck, and is continued by:

Charles Samwer and Jules Hopf, *Nouveau Recueil Général de Traités et autres Ordres Relatifs aux Rapports de Droit International*, 25 vols. and index, to 1900 (Göttingen, 1876-).—Treaties and other documents in original language or French.

B. Official Collections of Documents.

Indexes and finding lists of public documents are enumerated in Channing and Hart, *Guide to the Study of American History*, § 16e. In T. H. McKee's *Reports of the Select Special Committees, United States Senate*, and *Reports of the Select and Special Committees, United States House of*

Representatives (both Washington, 1887), are lists of printed reports made by Committees on Foreign Relations from 1815 to 1887. A careful list of indexes and other aids in United States government publications will be found in *American Statistical Association Publications*, Vol. VII. (1900). Some account of the publications of the State Department appears in Schuyler, *American Diplomacy*, pp. 132-133.

A few despatches and treaties, or extracts from despatches and treaties, are reprinted in the special collections made for the use of schools and colleges. Thus in Hart and Channing, *American History Leaflets*, appear correspondence on Cuba (No. 2); Monroe Doctrine (No. 4); Berlin Sea Controversy (No. 6); Colonial Wars (Nos. 7, 14); Navigation Acts (No. 19); Isthmus Canal (No. 34). William MacDonald, in his *Select Charters and Select Documents*, prints a few treaties.

There are three indispensable official collections:

* Francis Wharton, *Digest of the International Law of the United States, taken from Documents issued by Presidents and Secretaries of State, and from Decisions of Federal Courts and Opinions of Attorneys-General*, 3 vols., (Washington, 1886; 2d ed., no alteration of plates, 1887).—This series gives quotations, often several pages in extent, from printed (and occasionally unprinted) materials in the State Department, arranged under classified headings; it is of the utmost service to the student of American diplomacy. A new edition is promised under the efficient editorship of John Bassett Moore.

* John Bassett Moore, *History and Digest of the International Arbitrations to which the United States has been a Party, together with Appendices containing the Treaties relating to such Arbitrations, and Historical and Legal Notes on other International Arbitrations, Ancient and Modern, and on the Domestic Commissions of the United States for the Adjustment of International Claims*, 6 vols., (Washington, 1898).—Although by its title limited to a discussion of questions which have involved some form of international arbitration, as a matter of fact nearly all the great controversies between the United States and other powers are here set forth in authentic narrative, fortified with abundant citations. Hundreds of cases are summarized, hundreds of others are referred to. The book is the largest single contribution ever made to the knowledge of American foreign affairs.

* James D. Richardson, compiler, *A Compilation of the Messages and Papers of the Presidents, 1789-1897*, 10 vols., (Washington, 1896-1899).—This set contains the annual and occasional messages of the presidents, including a vast amount of material on foreign affairs. It is expected to be ultimately obtainable from the Government at cost.

C. Cases in International Law.

One of the principal sources of international law is the adjudications of courts, which often decide diplomatic controversies, or contain historical summaries of international relations. In the United States both state and federal courts make decisions based on international law; but

the decisions of the Circuit Courts, and of the Supreme Court of the United States are most likely to deal with public law; and they alone can finally construe federal treaties or statutes, if their validity is contested. Cases may be traced through the ordinary digests, and also through footnotes to treatises on international law. Special lists of cases, English and American, may be found in T. J. Walker, *Science of International Law*, pp. xiii-xv; J. B. Moore, *History and Digest of International Arbitrations*, I. lxiii-lxxii.

The texts of the Federal decisions are to be found in four series of collected cases as follows:

Federal Cases, comprising Cases argued and determined in the Circuit and District Courts of the U. S. from the Colonial Times to the Beginning of the Federal Reporter, 30 vols. and *Digest* (St. Paul, 1894-1898).

—Over 18,000 cases arranged alphabetically by cases, from 1789 to 1880.

Federal Reporter; Cases argued and determined in the Circuit and District Courts of the United States, 104 vols. and three *Digests*, to 1901 (St. Paul, 1880-).

* *United States Reports, Supreme Court*, 173 vols. to 1898.—Till 1882 published under the names of the official collectors or reporters of cases as follows:

Dallas [1789-1800], 4 vols., (Philadelphia, 1790-1808); Cranch [1801-1805], 9 vols., (Washington, 1804-1817); Wheaton [1816-1827], 12 vols., (New York, 1816-1827); Peters [1828-1843], 17 vols., (Philadelphia, 1828-1843); Howard [1843-1860], 24 vols., (Philadelphia, 1843-1860); Black [1861-1862], 2 vols., (Washington, 1862-1863); Wallace [1863-1874], 23 vols., (Washington, 1876-1883); Otto [1875-1882], 17 vols., (Washington, 1882); also bears the title *United States Reports, Vols. 91-107*; *United States Reports* [1882-].

Since 1882 a parallel edition has been published in an annual volume (at first two volumes a year) under the title:

Supreme Court Reports, Cases argued and determined in the United States Supreme Court, 21 vols. to 1900 (St. Paul, 1883-).

Particular questions in international law, and the historical accounts of episodes included in the judges' opinions, may be found through the various digests of cases, and especially through:

Rose, *Notes on the United States Reports: A Brief Chronological Digest of all Points Determined in the Decisions of the Supreme Court, with Notes showing the influence, following, and present authority of each case as disclosed by the citations*, 12 vols., (San Francisco, 1899-1901).—Sums up the later attitude of the courts on each decision and the principles involved down to 1898.

Without authority as decisions in contested cases, the official opinions drawn up for the guidance of the President or heads of departments, are of much weight as historical documents and as the conclusions of trained lawyers, beginning in 1791:

Official Opinions of the Attorney General of the United States (24 vols. to 1900, Washington, 1852-).

Of the four following collections of select cases, the first two are general, but include some of the most important cases defining the foreign powers of the United States government. The last two are special, and are important aids to the study of American diplomacy.

James Bradley Thayer, *Cases in Constitutional Law, with Notes*, 2 vols., (Cambridge, 1894-1895).—A most admirable selection, by a great constitutional lawyer.

Carl Evans Boyd, *Cases on American Constitutional Law* (Chicago, 1898).—Practically a selection from Thayer's *Cases*.

*Freeman Snow, *Cases and Opinions in International Law, with Notes and a Syllabus* (Boston, 1893).—Notes very few; syllabus at pp. xiii-xl.; cases convenient and to the point.

Pitt Cobbett, *Leading Cases and Opinions in International Law collected and digested from English and Foreign Reports, and Other Sources. With Notes and Excursus, containing the Views of the Text Writers referred to, with Supplementary Cases, Treaties and Statutes* (London, 1862).

D. American Official Correspondence.

The United States government has published seven different series of diplomatic correspondence. Upon the character and history of these collections see Justin Winsor, *Reader's Handbook of the American Revolution* (Boston, 1880), and *Narrative and Critical History of America*, VII. 294; VIII. 414.

1. Jared Sparks, editor, *The Diplomatic Correspondence of the American Revolution*, 12 vols., (Boston, 1829-1830, 2d ed. in 6 vols., Washington, 1857).—This series includes despatches to and from our foreign representatives from 1776 to 1783; and also the correspondence of the French ministers with Congress.

2. Francis Wharton, editor, *The Revolutionary Diplomatic Correspondence of the United States*, 6 vols., (Washington, 1889).—This contains substantially the material of the Sparks edition, with many additions; and is arranged chronologically.

3. *The Diplomatic Correspondence of the United States of America from the Signing of the Definitive Treaty of Peace, 10th September, 1783, to the Adoption of the Constitution, March 4, 1789*, 7 vols., (Washington, 1833-1834; reprinted in 3 vols., 1837).—This correspondence is arranged on about the plan of Sparks's *Correspondence*.

4. Thomas B. Wait, editor, *State Papers and Public Documents of the United States, being a Complete View of our Foreign Relations*, 12 vols., (Boston, 1817-1819).—This series extends from 1789 to 1818, and is practically superseded by the *American State Papers, Foreign*.

5. Walter Lowrie and Matthew St. Clair Clarke, editors, *American State Papers; Documents, Legislative and Executive, of the Congress of the United States. Class I. Foreign Relations*, 6 vols., (Washington, 1832-1859).—This series is a reprint of correspondence submitted at various

times to Congress.—It is extremely well arranged and indexed, and covers the period from 1789 to 1828.

6. Between 1828 and 1860 there was no systematic collection and the very important diplomatic correspondence is scattered through the executive documents. The President in many special messages refers to particular correspondence which may be traced through Richardson's *Messages of the Presidents*. The main official collections during this period are the following:

- 1835: House Doc., 24 Cong., 1 sess., Vol. I., No. 2.
- 1836: Senate Doc., 24 Cong., 2 sess., Vol. I., No. 1.
- 1837: Senate Doc., 25 Cong., 2 sess., Vol. I., No. 1; House Doc., 25 Cong., 2 sess., Vol. I., No. 3.
- 1838: Senate Doc., 25 Cong., 3 sess., Vol. I., No. 2; House Doc., 25 Cong., 3 sess., Vol. I., No. 2.
- 1839: None.
- 1840: None.
- 1841: Senate Doc., 27 Cong., 2 sess., Vol. I., No. 1; House Doc., 27 Cong., 2 sess., Vol. I., No. 2.
- 1842: Senate Doc., 27 Cong., 3 sess., Vol. I., No. 1; House Doc., 27 Cong., 3 sess., Vol. I., No. 2.
- 1843: Senate Doc., 28 Cong., 1 sess., Vol. I., No. 1; House Doc., 28 Cong., 1 sess., Vol. I., No. 1.
- 1844: Senate Doc., 28 Cong., 2 sess., Vol. I., No. 1; House Doc., 28 Cong., 2 sess., Vol. I., No. 2.
- 1845: Senate Doc., 29 Cong., 1 sess., Vol. I., No. 1; House Doc., 29 Cong., 1 sess., Vol. I., No. 2.
- 1846: Senate Doc., 29 Cong., 2 sess., Vol. I., No. 1; House Doc., 29 Cong., 2 sess., Vol. I., No. 4.
- 1847: Senate Doc., 30 Cong., 1 sess., Vol. I., No. 1.
- 1848: House Ex., 30 Cong., 2 sess., Vol. I., No. 1, pt. 1.
- 1849: House Ex., 31 Cong., 1 sess., Vol. III., pt. 1, No. 5, pt. 1.
- 1850: None.
- 1851: Senate Ex., 32 Cong., 1 sess., Vol. I., No. 1, pt. 1; House Ex., 32 Cong., 1 sess., Vol. II., pt. 1, No. 2, pt. 1.
- 1852: None.
- 1853: Senate Ex., 33 Cong., 1 sess., Vol. I., No. 1, pt. 1; House Ex., 33 Cong., 1 sess., Vol. I., pt. 1, No. 1, pt. 1.
- 1854: Senate Ex., 2 sess., Vol. I., No. 1, pt. 1; House Ex., 33 Cong., 2 sess., Vol. I., No. 1, pt. 1.
- 1855: Senate Ex., 34 Cong., 1 sess., Vol. I., No. 1, pt. 1; House Ex., 34 Cong., 1 sess., Vol. I., pt. 1, No. 1, pt. 1.
- 1856: Senate Ex., 34 Cong., 3 sess., Vol. II., No. 5, pt. 1; House Ex., 34 Cong., 3 sess., Vol. I., pt. 1, No. 1, pt. 1.
- 1857: Senate Ex., 35 Cong., 1 sess., Vol. II., No. 2, pt. 1; House Ex., 35 Cong., 1 sess., Vol. II., pt. 1, No. 2, pt. 1.
- 1858: Senate Ex., 35 Cong., 2 sess., Vol. I., No. 1, pt. 2; House Ex., 35 Cong., 2 sess., Vol. II., pt. 1, No. 2, pt. 1.

1859: Senate Ex., 36 Cong., 1 sess., Vol. I., No. 2, pt. 1.

1860: None.

7. *Papers relating to the Foreign Relations of the United States* (Washington, 1861).—Beginning with 1861, an annual volume or volumes containing important extracts from diplomatic correspondence of the preceding twelve months has been sent to Congress with the President's annual message. This series is the standard collection for all diplomatic affairs since 1861. One volume has appeared in each year, except as follows: 1863, two volumes; 1864, four volumes; 1865, four volumes; 1866, three volumes; 1867, two volumes; 1868, two volumes; 1869, none published; 1872, six volumes; 1873, three volumes; 1875, two volumes; 1888, two volumes; 1894, three volumes; 1895, two volumes.

There should also be mentioned the following series: *United States Consular Reports* (Washington, 1880—).—Since 1880 the State Department has published a series of reports from foreign consuls on a great variety of subjects, chiefly commercial. They of course contain little or no material on diplomatic relations. A list of these reports to 1890 is printed in John G. Ames, *Finding List*, at p. 100.

E. Foreign Official Correspondence.

On the colonial period the only available and useful collections are: *Calendar of State Papers, Colonial, America and West Indies*, 7 vols., (London, 1860—).—This series, still in progress, has now reached the year 1689. It states the substance of papers and prints some extracts. It is of the greatest service in the study of diplomacy relating to the colonies.

E. B. O'Callaghan and Berthold Fernow, editors, *Documents relative to the Colonial History of the State of New York*, 15 vols., (Albany, 1856-1887).—Contains many pieces on the relations of the French and English colonies.

On the federal period there are three series of foreign annual publications of state papers, intended primarily for the use of diplomats and consuls of the respective countries.

Archives Diplomatiques, Recueil de Diplomatie et d'Histoire, 70 vols. to 1899 (Paris, 1861—).—All in French or translated into French. Many treaties and other documents of periods before 1861, some as far back as A.D. 1400.

* *British and Foreign State Papers, compiled by the Librarian and Keeper of the Papers, Foreign Office* (90 vols. to 1900, London, 1812—).—Contains treaties, constitutions and documents chiefly in English.

Das Staatsarchiv: Sammlung der Officiellen Actenstücke zur Geschichte der Gegenwart, 43 vols. to 1898 (Hamburg, 1861—).—In English, French or German, as the case may be.

The diplomatic correspondence of foreign countries is usually

published in collections made up when negotiations have been completed. For the diplomatic history of the United States by far the most important of such series is the "Blue Books," issued from time to time by the English government. These are included in the annual "parliamentary papers;" and particular correspondence is easily reached through the single index to the whole series of papers issued in any one year.

F. American Private Correspondence and Memoirs.

The literature of American history is very rich in biographies containing correspondence and in the collected works of statesmen; but deficient in diaries and autobiographies of diplomats. The first two of these categories are set forth in Channing and Hart, *Guide*, § 25 (biographies), § 32 (works of American statesmen). The most important contributions in this sort to the history of American diplomacy are the lives and works of: John Adams, John Quincy Adams, Joel Barlow, James G. Blaine, James Buchanan, John C. Calhoun, Lewis Cass, Henry Clay, Thomas Corwin, Alexander J. Dallas, Silas Deane, Daniel S. Dickinson, Edward Everett, Hamilton Fish, John Forsyth, Benjamin Franklin, Albert Gallatin, Elbridge Gerry, Alexander Hamilton, Sam Houston, Thomas Hutchinson, Ralph Izard, John Jay, Thomas Jefferson, Abbott Lawrence, Francis Lieber, Edward Livingston, William Lee, Abraham Lincoln, James Madison, William L. Marcy, George P. Marsh, John Marshall, James Monroe, Gouverneur Morris, John L. Motley, William Penn, Timothy Pickering, Joel R. Poinsett, James K. Polk, Edmund Randolph, John Randolph, William H. Seward, Jared Sparks, Charles Sumner, John Tyler, Martin Van Buren, George Washington, Daniel Webster, Francis Wharton.

There is a diary of James K. Polk still in manuscript; but almost the only printed diaries or autobiographies which are of service are the following:

John Quincy Adams, *Memoirs, comprising Parts of his Diary from 1795 to 1848*, 12 vols., (Philadelphia, 1874-1877).—An invaluable record on most of the diplomatic questions from 1809 to 1845.

James Monroe, *View of the Conduct of the Executive in Foreign Affairs, 1794-1796* (Philadelphia, 1797).

John G. Nicolay and John Hay, *Abraham Lincoln, a History*, 10 vols., (New York, 1890).—Contains so many extracts from narratives of diplomatic events as to deserve special mention.

Richard Rush, *Memoranda of a Residence at the Court of London, 1817-1825* (Philadelphia, 1833). Second series, 2 vols., (Philadelphia, 1845).—Chiefly on the Monroe Doctrine.

Waddy Thompson, *Recollections of Mexico* (New York, 1846).—On his experiences as U. S. Minister.

G. Foreign Private Correspondence and Memoirs.

The only French diplomats who published their experiences in America, except in the official collections, were:

Hyde de Neuville, *Mémoires et Souvenirs*, 3 vols., (Paris, 1888-1893), and

Adolphe de Bacourt, *Souvenirs d'un Diplomate: Lettres Intimes sur l'Amérique* (Paris, 1882).

The English memoirs and biographies containing correspondence are very numerous; some of them are mentioned in T. J. Walker, *Science of International Law*, pp. vii-xvi. A few which have especial significance for American relations are:

E. P. Brenton, *Life and Correspondence of John, Earl of St. Vincent*.—On the first stage of the Napoleonic Wars.

Sir H. L. Bulwer and E. Ashley, *Life of Lord Palmerston*, 4 vols., (London, 1874-1876).

Lord Edmond Fitzmaurice, *Life of Shelburne*, 3 vols., (London, 1875-1876).

G. H. Francis, *Opinions and Policy of Lord Palmerston* (London, 1852).

W. Bodham Donne, editor, *Correspondence of George the Third with Lord North, 1768 to 1783* (London, 1867).—Very important for the negotiations of 1782.

Captain Basil Hall, *Fragments of Voyages and Travels, Including Anecdotes of a Naval Life* (Philadelphia, 1831).—On captures of neutral vessels.

James Harris, Earl of Malmesbury, *Diaries and Correspondence, containing an Account of his Missions* (London, 1845).

James Howard Harris, Earl of Malmesbury, *Memoirs of an Ex-Minister, an Autobiography, 1814-1852* (London, 1884).

Lady Jackson, editor, *Sir George Jackson: The Bath Archives: A Further Selection from Diaries and Letters from 1809 to 1816* (London, 1873).—On F. J. Jackson's mission to the United States, in 1809.

John, Earl Russell, editor, *Memorials and Correspondence of Charles James Fox*, 4 vols., (London, 1853-1857).

John, Earl Russell, *Recollections and Suggestions, 1813-1873* (London, 1875).

Philip Henry, Earl Stanhope, *Life of the Rt. Hon. William Pitt*, 4 vols., (London, 1861-1862).

E. J. Stapleton, editor, *Some Official Correspondence of George Canning, 1770-1827*, 2 vols., (London, 1887).—Essential on the Monroe Doctrine.

Spencer Walpole, *The Life of Lord John Russell*, 2 vols., (London, 1889).

R. R. Pearce, *Memoirs and Correspondence of Richard, Marquess Wellesley*, 3 vols., (London, 1846).

H. Manuscript Archives.

The manuscript official files of the government, including instructions, despatches to and from ministers and consuls, claims against foreign

governments, reports on boundaries, records of commissions, etc., are stored in the archives of the State Department in Washington, where are also many of the public and private papers of Washington, Franklin, Jefferson, Madison, Monroe, and some other American statesmen. The use of these archives must of course be very carefully guarded, and none but persons properly accredited are admitted; and even from them materials which would affect pending negotiations or rouse international ill-feeling are carefully withdrawn. See Schuyler, *American Diplomacy*, pp. 38-40; Winsor, *Narrative and Critical History*, VIII.

Foreign manuscript collections relative to American history and relations are described at much length in Winsor, *Narrative and Critical History*, VIII. 459-468.

ALBERT BUSHNELL HART.

NOTE.—It should have been mentioned on p. 766, above, that the French text of the document there printed will appear next autumn in the *Life of Jules Simon*, now being published by his sons, to whom we are indebted for permission to print this translation.

NOTES AND NEWS

As heretofore announced, Professor Andrew C. McLaughlin, of the University of Michigan, will hereafter be the managing editor of this journal. He may be addressed at 836 Tappan Street, Ann Arbor, Michigan.

The Right Reverend Dr. William Stubbs, bishop of Oxford and chancellor of the Order of the Garter, who by universal consent was deemed the most eminent of living English historians, died on April 22. He was born on June 21, 1825, at Knaresborough, and was wont sportively to attribute much of his interest in constitutional antiquities to the fact that he was born in an ancient forest-jurisdiction. He took high honors at Christ Church in 1848, became a fellow of Trinity, and in 1850 vicar of Navestock. The first edition of his *Registrum Sacrum Anglicanum* was issued in 1858. In 1862 he was made librarian to the archbishop of Canterbury at Lambeth. There he began that series of contributions to the Rolls Series which, down to the publication of the *Constitutional History*, constituted his chief title to eminence—the *Chronicles and Memorials of Richard I.*, "Benedict of Peterborough," Roger Hoveden, Walter of Coventry, the *Memorials of St. Dunstan*, Ralph de Diceto, Gervase of Canterbury, *Chronicles of the Reigns of Edward I. and II.*, and the *Gesta Regum* and *Historia Novella* of William of Malmesbury,—editions which, issued during the years from 1864 to 1889, were marked by the highest scholarship, and the introductions to which contributed immeasurably to sound knowledge of the English Middle Ages. In 1866 Dr. Stubbs became regius professor of modern history at the University of Oxford. That as professor he sensibly affected the minds of the rank and file of undergraduates cannot be affirmed; and how he chafed under the statutory requirement of public lectures he made amusingly manifest in various passages of his *Seventeen Lectures*. Yet he exerted a strong influence on English superior instruction in history. The direction in which he sought to do this was shown by the publication in 1870 of his *Select Charters and other Illustrations of English Constitutional History*. That book has introduced hundreds of young students to the study of English medieval documents. The introductions interspersed by the compiler formed a preliminary sketch for his great work on the *Constitutional History of England in its Origin and Development*, of which the first edition appeared in 1874, 1875 and 1878, and the sixth a year or two ago. It would be superfluous now to praise this well-known and masterly treatise, marked equally by learning, sense of proportion, soundness of judgment and

power of thought. In 1884 Dr. Stubbs became bishop of Chester, whence in 1889 he was translated to Oxford. The episcopal office made further historical writing impossible for him, as for the late bishop of London. Yet he gave great attention to the revision of the successive editions of his *Constitutional History*, and he found time to render much aid to the Historical Manuscripts Commission, of whose productions he assured the present writer that he always read the proof-sheets. Indeed under the rubric "Favorite Recreations" in the English *Who's Who* (a rubric characteristically and rightly absent from the American book of the same name) the Bishop of Oxford had the note, "making out pedigrees and correcting proof-sheets." In ecclesiastical matters Dr. Stubbs was an old-fashioned High Churchman, an active and conscientious prelate, but gifted with a sense of humor. In private he was a kindly and witty gentleman, the friend and aider of all serious historical students.

Professor Bernhard Erdmannsdörffer of Heidelberg died on March first, aged 68. He was a distinguished teacher, particularly in the fields of modern history and had held a professorship at Heidelberg since 1874. His first publications were two seventeenth-century biographies, of Charles Emanuel I. of Savoy and of Georg Friedrich of Waldeck, printed in 1862 and 1869. At Berlin he had an important part in the editing of the documents of the Great Elector. At Heidelberg, after the establishment of the Baden Historical Commission, he edited some of the earlier volumes of the political correspondence of the Margrave Karl Friedrich. But his chief narrative historical work was his *Deutsche Geschichte vom westphälischen Frieden bis zum Regierungsantritt Friedrichs des Grossen* (1892-1893) in the Oncken series. Former pupils of Erdmannsdörffer, of whom there are not a few in America, may be glad to have their attention called to the article by Gothein in the April number of the *Preussische Jahrbücher*.

Dr. Karl Biedermann died on March 6, aged eighty-nine. He had an active part in Saxon and German politics in the revolutionary years 1847-1848, and was a member of the Frankfort Parliament of the latter year. His first important historical work, and a very interesting one, was his *Deutschlands Politische, Materielle und Sociale Zustände im achtzehnten Jahrhundert* (1854-1867). This was followed (1870-1882) by his *Dreissig Jahre deutscher Geschichte*, relating to the stirring years 1840-1870. This reached a fourth edition in 1896, and was supplemented by, and finally combined with, a historical account of the twenty-five years preceding, 1815-1840. Another work of high popularity was his *Deutsche Volks- und Kulturgeschichte* (1885, third ed. 1898). Dr. Biedermann, who retained to the last an honorary professorship at Leipzig, also wrote an entertaining autobiography entitled *Mein Leben und ein Stück Geschichte* (1886).

Rev. Dr. William Bright, canon of Christ Church, who since 1868 had been professor of ecclesiastical history in the University of Oxford, and whose *Chapters in Early English Church History* was highly esteemed, died on March 6, aged seventy-six.

William H. Egle, M.D., editor of many volumes of the *Pennsylvania Archives*, second and third series, and author of a history of Pennsylvania and histories of Dauphin and Lebanon counties, died at Harrisburg, February 19, aged seventy.

Professor Max Farrand of Wesleyan University has been appointed head of the department of history at Leland Stanford University. His place at Middletown is to be taken by Dr. Dutcher of Cornell University.

Dr. Theodore Clarke Smith becomes assistant professor of American history in the Ohio State University.

Professor Henry Ferguson, of Trinity College, has leave of absence for the academic year 1901-1902.

The plan for the historical congress to be held in Rome in April, 1902, involves the maintenance of three sections. One will be occupied with general questions, questions of method and theory, the auxiliary sciences, economic history and the relations of history to sociology; one with ancient history; one with medieval and modern history. A review of historical progress in the nineteenth century will be attempted.

Messrs. Lea Brothers and Co. are about to bring out, under the editorship of Professor J. H. Wright of Harvard University, a translation of the *Allgemeine Geschichte* prepared some years ago by Flathe, Justi, Pflugk-Harttung, Philippson and others. The translation will include a continuation from 1870 to 1900 by Professor Charles M. Andrews of Bryn Mawr and three volumes of American history by Mr. John Fiske, and will be published in twenty-four volumes.

The Oxford University Press announces a small book (pp. 296) on *The Relations of Geography and History*, by Mr. Hereford B. George.

A revised and enlarged translation of Professor G. Sergi's *The Mediterranean Race: A Study of the Origin of European Peoples* has been published as a volume in Mr. Havelock Ellis's "Contemporary Science Series" (London, Walter Scott).

Among the recent books of an educational nature is *Liberty Documents*, with contemporary exposition and critical comment drawn from various writers, the whole selected and prepared by Miss Mabel Hill of the Lowell (Mass.) State Normal School, and edited with an introduction by Dr. Albert Bushnell Hart of Harvard University.

ANCIENT HISTORY.

A History of Babylonia and Assyria, by Dr. Robert W. Rogers (New York, Eaton and Mains) contains, beside the historical information suggested by the title, an account of recent explorations and excavations in the regions named, and an extensive dissertation on the sources at the historian's disposal.

An authorized translation of Dr. G. Adolf Deissmann's *Bible Studies*, by Alexander Grieve, is announced (New York, Scribners).

Almost all the passages to be found in classical literature bearing directly upon the subject of education and school life are brought together and connected by brief discussions and interpretations in a *Source-Book in the History of Education for the Greek and Roman Period*, by Dr. Paul Monroe, Professor of the History of Education in the Teachers College of Columbia University.

Noteworthy articles in periodicals: V. Bérard, *L'Étude des Origines Grecques*, I. (Revue Historique, May); J. L. Strachan-Davidson, *Mommsen's Roman Criminal Law* (English Historical Review, April); Dom Chamard, *Les Origines du Symbole des Apôtres* (Revue des Questions Historiques, April); P. Allard, *L'Expédition de Julien contre Constance* (Revue des Questions Historiques, April); T. Mommsen, *Das theodosische Gesetzbuch* (Zeitschrift der Savigny-Stiftung, Roman. Abt., XXI.).

MEDIEVAL HISTORY.

Mr. Henry C. Lea's *History of the Inquisition in the Middle Ages* is to appear in a German translation by Professor Joseph Hansen, director of archives at Cologne.

The sixth and concluding volume of Mr. W. M. Flinders Petrie's *History of Egypt* is published by the Messrs. Scribner under the title, *A History of Egypt in the Middle Ages*, by Dr. Stanley Lane-Poole.

Messrs. Rivington have issued Volume III. of their "Periods of European History," entitled *The Close of the Middle Ages, A. D. 1273-1494*, by Professor R. Lodge, of the University of Edinburgh (New York, Macmillan).

MODERN HISTORY.

The Lane lectures delivered by Sir Michael Foster, M.P., at the Cooper Medical College in San Francisco, are to be published by the Cambridge University Press as *Lectures on the History of Physiology during the Sixteenth, Seventeenth, and Eighteenth Centuries*.

In a privately printed pamphlet on *Smeerenburg*, Spitsbergen, Sir Martin Conway relates the history of this seventeenth-century settlement, and discusses the legends that have gathered about the story of its rise and fall.

Mr. J. Taylor Hamilton has written *A History of the Church known as the Moravian Church*, during the eighteenth and nineteenth centuries (Bethlehem, Pa., Times Publishing Co.).

The Fleming H. Revell Co. will shortly publish *The Convulsion in China at the End of the Century*, by Dr. Arthur H. Smith, whose previous books on China have been so highly regarded.

A Chronological Index of the Chief Events in the Foreign Intercourse of Korea is the title of a pamphlet compiled by Dr. Horace N. Allen, the

American envoy in Korea. The book contains lists of Korean treaties and agreements, and also of officials in the diplomatic and civil service.

GREAT BRITAIN.

Considerations of health have moved Dr. Samuel Rawson Gardiner to resign the charge of the *English Historical Review* into the able hands of Dr. Reginald Lane Poole, to whose service as assistant editor under Dr. Creighton and Dr. Gardiner that journal has owed so much. The April number, in which this announcement is made, contains an appreciative article by Dr. Richard Garnett of the British Museum on the late bishop of London, who edited the *Review* from its origin in 1886 until his consecration as bishop of Peterborough in 1891.

The British Government has published *List of Early Chancery Proceedings preserved in the Public Record Office*, Vol. I.; *Acts of the Privy Council of England* (New Series) Vol. XXIII., 1592; *Letters and Papers, Foreign and Domestic*, Henry VIII., 1543, Part I.; *List of Proceedings in the Court of Star Chamber*, Vol. I., 1485-1558; and a report of the Historical Manuscripts Commission on the manuscripts of Mrs. Frankland-Russell-Astley, of Chequers Court, Bucks.

The Selden Society's annual report calls attention to its publication of Vol. XIV., *Beverly Town Records*, in November, 1900. Vol. XIII., *Select Pleas of the Forests*, by Mr. S. J. Turner, is still in arrears. Vol. XV., the first volume of *Select Proceedings in the Star Chamber*, may be expected to appear during the summer of 1901.

The library and offices of the Royal Historical Society have been transferred from St. Martin's Lane to No. 3 Old Serjeants' Inn, Chancery Lane, where the meetings of the council will henceforward be held.

The Catalogue of the Rawlinson Manuscripts in the Bodleian Library has been completed by the addition of two more volumes of entries and one of index. Of special collections, those of Thomas Hearne, Sir Thomas Browne, and the Rawlinson family are most extensive. There are a large number of Italian historical tracts, and instructions to papal ambassadors in the sixteenth and seventeenth centuries. Papers relating to America are numerous. The manuscript of John Dunton's American narrative (1685-1686) first printed in 1867 by the Prince Society, is one of these. There are letters from George Fox and other Quakers, papers relating to the affairs of Massachusetts and New Hampshire, and also to various epochs of the colonial administration in New York.

Messrs. Macmillan announce the first volume of *Early English Printed Books in the University Library, Cambridge, 1475-1640*, covering the issues from Caxton to F. Kingston.

Professor Earle's essay on *The Alfred Jewel*, with illustrations and map, is on the point of publication, or already published, by the Oxford University Press.

The Writings of King Alfred, Mr. Frederic Harrison's Harvard lecture, is issued by the Macmillan Co.

Nos. 112 and 113 of the *Old South Leaflets* are, respectively, "King Alfred's Description of Europe," taken from his translation of Orosius, and "Augustine in England," from King Alfred's version of Bede.

Mr. William A. Slade of the Library of Congress has in preparation a bibliography of Alfred the Great, aiming at completeness, which may be expected to be finished in time for the millennial celebration of the death of King Alfred, now deferred till October.

Messrs. Sands and Co. will publish shortly *The History of Mary the First, Queen of England*, by Mr. J. M. Stone, a work based on a careful study of state papers, ambassadors' despatches and other contemporary documents of that time, and elaborately illustrated.

Messrs. Archibald Constable and Co. announce a volume of hitherto unpublished *Autograph Poems of James the First of England and Sixth of Scotland*, which have been recently discovered in the Bodleian Library. The volume will be edited by Mr. Robert S. Rait, of New College, Oxford.

A new edition of the speeches of Cromwell, collected and edited by Charles L. Stainer, M.A. Christ Church, is announced by the Clarendon Press.

Messrs. Goupil and Co. announce *Charles II.* by Dr. Osmund Airy, in an edition uniform with their *Mary Stuart, Charles I.*, etc.

Messrs. Longmans, Green and Co. announce *Cavalier and Puritan in the Days of the Stuarts*, compiled from the private papers and diary of Sir Richard Newdigate, and from manuscript newsletters addressed to him between 1675 and 1689. The volume will be edited by Miss Anne Emily Newdigate-Newdegate.

The Rifle Brigade, by Mr. Walter Wood (London, Grant Richards), forms the first volume of the series "British Regiments in War and Peace" which Mr. Wood has undertaken to write in order to supply a gap in the published records of the regiments forming the British army. The Rifle Corps was officially gazetted in October, 1800, has fought in many important engagements in both hemispheres, and has lately seen severe service in South Africa. The second book of the series, *The Northumberland Fusiliers* (London, Grant Richards), will furnish a record of one of the oldest and most illustrious regiments in the British army.

Longmans, Green and Co. have just brought out *Bolingbroke and His Times*, by Walter Sichel, being an historical study of the times of Queen Anne.

Messrs. L. C. Page and Co. have reprinted in full the edition of 1832 of *The Secret History of the Court of England, from the Accession of George III. to the Death of George IV.*, by Lady Anne Hamilton.

The Life and Letters of Zachary Macaulay, by his granddaughter, Viscountess Knutsford (London, Edward Arnold), is of interest, not only as a biography of the father of Lord Macaulay, but as the record of the life of one of the most earnest and disinterested of England's early humanitarian reformers, especially prominent in the anti-slavery movement.

The latest volume in the series "Builders of Greater Britain" (Longmans), is *Sir Stamford Raffles*, by Mr. Hugh Edward Egerton, for which abundant material, additional to that presented in the memoir published in 1830, has been obtained at the India Office.

Some Records of the Later Life of Harriet, Countess Granville, by her granddaughter, Susan H. Oldfield (Longmans), forms a supplementary volume to those letters of Countess Granville written during her married life, and published in 1894.

The York Prize Essay for 1900, by Mr. J. E. R. de Villiers, is published (Cambridge University Press) under the title *The History of the Legislation concerning Real and Personal Property in England during the Reign of Queen Victoria*.

Shifting Scenes: or Memories of Many Men in Many Lands, by the Rt. Hon. Sir Edward Malet (London, Murray), is a series of reminiscences of persons and events throughout an eventful diplomatic career. The author was at Washington during the Civil War, in Constantinople from 1865 to 1867, in Paris while the Franco-Prussian war was in progress, and in Egypt during the years which immediately preceded the British occupation.

Messrs. Longmans and Co. will shortly publish *Letters and Journals of the China War, 1860*, by Major-General G. Allgoods. As a lieutenant the author served with the First Division China Field Force.

Egypt and the Hinterland, by Mr. Frederick W. Fuller (Longmans, Green and Co.), contains a brief summing-up of the British occupation, but is chiefly concerned with the suppression of Mahdism, and with an account of the Coptic community.

The Life and Correspondence of the Right Hon. Hugh C. E. Childers, 1827-1896, by his son, Lieut.-Col. Spencer Childers (London, Murray), deals chiefly with the facts of Mr. Childers's career during his tenure of office as First Lord of the Admiralty, Secretary of State for War, Chancellor of the Exchequer, and Home Secretary. The information and documents given for the period when Mr. Childers was at the War Office are fuller than for his other experiences, and cover much of the preliminary stages of the South African difficulty.

Among the numerous books dealing with the South African question, one of considerable importance is *The Second Boer War, 1899-1900*, by John P. Wisser, Capt. U.S.A. (Kansas City, Hudson-Kimberly Publishing Co.).

Noteworthy articles in periodicals: S. Brodhurst, *The Merchants of the Staple* (Law Quarterly Review, January); *The First Century of the East India Company* (Quarterly Review, January); B. Williams, *The Foreign Policy of England under Walpole*, V. (English Historical Review, April); *The Character of Queen Victoria* (Quarterly Review, April).

FRANCE.

The Société de l'Histoire de France has just issued the *Mémoires* of the Vicomte de Turenne. During the present year it expects to distribute Vol. III. of the *Journal du Chevalier de Quincy* (ed. Lecestre) and Vol. I. of the journal of Jean Vallier, relating to the Fronde (ed. Courteault and de Vaissière).

All readers of Froissart who know how infinitely on every literary ground the ancient translation by Lord Berners is to be preferred to all others, and how difficult it is to procure, will welcome the announcement that a reprint, with an introduction by Mr. William Paton Ker, has been published by Mr. David Nutt in his series of Tudor Translations.

The second issue of the *Répertoire Méthodique de l'Histoire Moderne et Contemporaine de la France* (Paris, George Bellais), edited by Briere and Caron, covers the year 1899. It is a volume of 229 pages composed with admirable care, and embraces 3638 items or titles. It is needless to say that it is indispensable to the serious student of modern French history.

An organization has been formed in Paris, with Professor Aulard as general secretary, for the purpose of publishing a *Dictionnaire Encyclopédique de la Révolution Française*, marked by the highest scholarship. It is intended that the work, published in parts, shall comprise four octavo volumes, and cost about a hundred francs.

M. Aulard will shortly publish Vol. XIV. of his *Recueil des Actes du Comité de Salut Public*, and the fifth and last volume, with a general index, of his *Paris pendant la Réaction Thermidorienne et sous le Directoire*.

M. Gabriel Hanotaux has in press a *Histoire de France Contemporaine* (Paris, Combet) extending from 1871 to the present time.

Cent Jours du Siège à la Préfecture de Police, by M. A. Cresson (Paris, Plon), is the account of an episode in the Franco-Prussian war, covering the period from November 2, 1870, to February 11, 1871, and written by the then prefect of police.

Noteworthy articles in periodicals: A. Droin, *L'Expulsion des Jésuites sous Henri IV. et leur Rappel* (Revue d'Histoire Moderne et Contemporaine, May); A. Liard, *Saint-Simon et les États Généraux* (Revue Historique, May); G. Lacour-Gayet, *La Bataille de M. de Conflans*, 1759 (Revue Historique, May); A. Vandal, *La Conquête de Paris par Bonaparte, 1799-1800* (Revue des Deux-Mondes, April 15, May 1, 15); M. Philippson, *La Paix d'Amiens et la Politique Générale*

de Napoléon I^{er} (Revue Historique, March, May); G. Caudrillier, *Le Complot de l'An XII*, I. (Revue Historique, March).

ITALY, SPAIN.

The second volume of Professor Giuseppe Mazzatinti's *Gli Archivi della Storia d'Italia*, recently published, contains inventories or descriptions of thirty-odd archives, chiefly municipal, and largely described by Mazzatinti himself upon the basis of personal researches.

In the *Archivio della R. Società Romana di Storia Patria*, XXIII. 3-4, the principal contents, beside continuations of writings which we have already mentioned, are a long article by Signore Pietro Egidi of Girgenti on the "Fraternità dei Disciplinati" at Viterbo, and one by Signor V. Federici on Santa Maria Antiqua and the latest excavations of the Forum Romanum.

Dr. Vito La Mantia has lately published (Palermo, Alberto Reber, pp. cciv, 356) his critical edition of the *Antiche Consuetudini della Città di Sicilia*, important for the medieval history of the island.

A newly founded Asociación de la Librería at Madrid, apparently modelled after the Cercle Français de la Librairie, will publish fortnightly a general *Bibliografía Español*, which may be had through Messrs. Lemcke and Buechner, New York.

We are indebted to Señor Enrique Serrano Fatigati, president of the Sociedad Española de Excursiones, for several issues of the *Boletín* of that society, containing interesting archaeological articles by him, which he has finally combined into a monograph, illustrated by excellent photographs and photogravures, on *Escultura Romanica en España* (Madrid, Imprenta de San Francisco de Sales, pp. 65). It is a common opinion that the sculpture accompanying Spanish medieval architecture is all symbolic. This Señor Fatigati controverts, showing, in this monograph and in another on two ancient churches, *Sépulveda y Santa Maria de Nieva*, many interesting examples of Romanesque capitals, of grotesques and of representations of the forms of nature.

The Spanish People, by Major Martin A. S. Hume (New York, D. Appleton and Co.), is the first volume in the "Great Peoples" series, edited by Professor York Powell. Mr. Hume describes the racial elements which have entered into the Spanish people, their development in the history of the Spanish peninsula, and their influence upon European civilization.

In the *Boletín* of the Royal Spanish Academy of History, XXXVII. 6, Señor R. Ramirez de Arellano brings forward new facts and documents relating to Beatriz Enriquez de Arana, tending to show that she was neither noble nor rich, but a poor orphan seduced by Columbus.

GERMANY, AUSTRIA, SWITZERLAND.

The German historical congress ("Versammlung deutscher Historiker") is announced as to hold its next meeting at Heidelberg at Easter of 1902.

Over six hundred signatures have been obtained to a petition, drawn up by the historical professors of Marburg, and addressed to the imperial chancellor, praying that the Prussian Historical Institute in Rome may be so reorganized as to become, upon a broader basis, a German Historical Institute. The retirement of Dr. W. Friedensburg was the special occasion of the present movement. Professor Ludwig Pastor of Innsbruck has been appointed director of the Austrian Institute in the place of Hofrath Theodor von Sickel.

The Macmillan Co. announce *A Short History of Germany*, by Dr. Ernest F. Henderson, whose *History of Germany in the Middle Ages* (London, Bell, 1894) is well known.

The historical section of the Prussian General Staff is about to begin the issue of a series entitled *Urkundliche Beiträge und Forschungen zur Geschichte des preussischen Heeres* (Berlin, E. S. Mittler and Son). There will be two or three issues a year, each complete in itself, and consisting now of a collection of related documents, now of an historical monograph.

Dr. Florenz Landmann has published a substantial contribution to the study of the religious condition of Germany in the fifteenth century under the title *Das Predigtwesen in Westfalen in der letzten Zeit des Mittelalters* (Münster, Aschendorff). It is the first of a series of *Vorreformationsgeschichtliche Studien* edited by Professor Finke of Münster.

Messrs. Schwetschke and Sons of Berlin are to publish a critical edition of Zwingli's works, edited by Professors Egli of Zurich and G. Finster of Basel.

The first of the volumes to be published for the University of Pennsylvania by Messrs. Longmans, Green and Co., who have undertaken the issue of its historical series, will be *Selections from the Writings of Zwingli*, edited by Professor Samuel M. Jackson of New York University.

In the April number of the *Deutsche Rundschau* Dr. Richard Ehrenberg begins a series of articles on the Fuggers and the growth of their property and business enterprises.

At the last "Historikertag," held in Halle, an edition of the political correspondence of Charles V. was actively discussed. The plan is now assured of success, the new Austrian Historical Commission having adopted it as a part of its programme.

Dr. Goetz's *Franz Heinrich Reusch; Eine Darstellung seiner Lebensarbeit* (Gotha, Perthes), will be welcomed as an account of the life and labor of one of Germany's most eminent scholars, and as a contribution to the history of the Old Catholic movement.

Subventions from the provincial and district governments, the city of Metz and private contributors have permitted the "Gesellschaft für lothringische Geschichte" to attempt a larger programme. Arrangements have been made for the publication of series of the chronicles of

Lorraine and of Metz; of *Regesten* of the bishops; of the *Schreinsrollen* of the thirteenth century; and of calendars of documents in the Vatican archives.

The first volume of *Registres du Conseil de Genève* will shortly be published by M. Émile Rivoire, for the Société d'Histoire et d'Archéologie de Genève. The series will consist of four volumes, of which the first will cover the period from February 26, 1409, to February 6, 1461.

Noteworthy articles in periodicals: J. Fickers, *Das langobardische und die skandinavischen Rechte* (Mittheilungen des Instituts für oesterreichische Geschichtsforschung, XXII. 1); *Sophia Dorothea of Celle* (Edinburgh Review, January); O. Hintze, *Der Oesterreichische und der Preussische Beamtenstaat im 17. und 18. Jahrhundert* (Historische Zeitschrift, LXXXVI. 3); P. Haake, *Ein Politisches Testament König August's des Starken* (Historische Zeitschrift, LXXXVII. 1); A. G. Keller, *The Beginnings of German Colonization* (Yale Review, May); F. Meinecke, *Die Bismarck-litteratur der letzten Jahre* (Historische Zeitschrift, LXXXVII. 1).

NETHERLANDS.

A portion of Dutch diplomatic history particularly important to the student of colonial New York, and indeed to the student of British colonial history at large, is illustrated in an elaborate Leiden doctoral dissertation by N. Japikse, *De Verwickelingen tusschen de Republiek en Engeland van 1660-1665* (Leiden, S. C. van Doesburgh, pp. lxxviii, 476). Dr. Japikse has studied with minute care the papers of DeWitt, Sir George Downing, Clarendon, Comenge, etc.

The twenty-first volume of the *Bijdragen en Mededeelingen* of the Utrecht Historical Society contains a report on the condition of the Dutch West India Company, presented to the States of Holland in 1633 by the Amsterdam Chamber, an important recovered fragment of the lost archives of the company.

NORTHERN AND EASTERN EUROPE.

Messrs. Williams and Norgate will shortly publish the concluding volume (Vol. IV.) of *Old Northern Runic Monuments of Scandinavia and England*, by the late Professor George Stephens.

The Humanistiska Vetenskaps-Samfund of Upsala, with aid from the authorities of the city of Stockholm, has begun the publication, under the scholarly editorial care of Professor Karl Hildebrand, of a series of volumes relating to the history of that city. A beginning has been made with *Stockholms Stads Privilegiebref, 1423-1700*, of which the first part (Stockholm, Wahlström and Widstrand, pp. 160), embraces the patents down to that given by Gustavus Adolphus in February, 1614, inclusive.

AMERICA.

Messrs. A. C. McClurg and Co. have just issued a *History of the American People*, by Dr. Francis Newton Thorpe.

The J. B. Lippincott Co. publish *The History of Medicine in the United States*, by Dr. Francis Randolph Packard. The period covered is that from the earliest English colonization to 1800.

The latest issues in the series of *Johns Hopkins Studies* are monographs on State Activities in Relation to Labor in the United States, and on the History of Suffrage in Virginia, by Mr. W. F. Willoughby of the U. S. Department of Labor and Professor J. A. C. Chandler, of Richmond College, respectively.

The publication of the seventy-first volume of *The Jesuit Relations* (Burrows Bros.) completes the entire work with the exception of the index, which will constitute Vols. LXXII. and LXXIII. of the series. Volume LXXII. will contain Mr. Thwaites's final preface, in which he will review the whole undertaking. The first volume was published in November, 1896; the seventy-first, in December, 1900.

An edition of the *Bay Psalm Book* will shortly be published by Mr. James Warrington (Philadelphia) as one of a series of facsimile reprints of famous American musical books. Mr. Warrington has also in preparation a bibliography to be entitled *Short Titles of Books Relating to or Illustrating the History and Practice of Psalmody in the United States, 1620-1820*.

A new installment (Vol. II., part 7) of *The Georgian Period*, by Messrs. G. C. Gardner, Sylvester Baxter and others (Boston, American Architect and Building News Co.) has just appeared, and contains thirty-three plates of colonial houses with measurements, as well as descriptive articles. The drawings were made by pupils of the Architectural Department of the Massachusetts Institute of Technology, during the summer schools of 1894 and 1895.

Earl Grey is reported to have discovered among the papers of his family, coming down from the first earl, an original manuscript diary kept by Major John André during the years 1777 and 1778, with maps by his own hand illustrating the progress of the American war.

The J. B. Lippincott Company have just ready a cheaper edition of Elliot's *Debates*.

John Marshall, by Professor James Bradley Thayer of the Harvard Law School, appears as a new volume in the Riverside Biographical Series (Houghton, Mifflin and Co.).

A reprint of *The War of 1812*, by Major John Richardson, is shortly to be published by the Historical Publishing Company (Toronto). This is the first reprint since the original edition in 1842. A biography of the author and a bibliography will be furnished by Mr. A. C. Casselman.

Under the title *George W. Julian; Some Impressions*, Mrs. Grace Julian Clarke, daughter of Mr. Julian, has set forth in a quite small book, privately printed, the story of her father's life, especially of the

years remembered by her, and a sketch of his characteristics. It is an interesting picture, of a life devoted to high public aims and of a character truly admirable and winning. A fine portrait of Mr. Julian, from a photograph taken when he was sixty-one, and a figure of his death-mask, are given. We understand that the Bowen-Merrill Co. of Indianapolis now have a few copies of the memorial on sale.

Messrs. D. Appleton and Co. have published, under the title *A Sailor's Log*, recollections of forty years of naval life by Rear-Admiral Robley D. Evans, U. S. N.

The Century Co. has just issued a new and cheaper edition, in four volumes, of *Battles and Leaders of the Civil War*, edited by Messrs. Robert U. Johnson and Clarence C. Buel.

The Albert Shaw lectures on diplomatic history for 1900, delivered at the Johns Hopkins University by Dr. James M. Callahan, have been published (Johns Hopkins Press) under the title, *The Diplomatic History of the Southern Confederacy*.

Messrs. Doubleday, Page and Co. have published *Up from Slavery*, the autobiography of Mr. Booker T. Washington, the present principal of Tuskegee Institute.

The Philippine Information Society has now issued seven pamphlets of its first series of ten. It is intended to compile in each pamphlet those portions of the various governmental documents which deal with a certain period or event, thus providing readers with a documentary history in convenient and summary form. The current series comprises: (1) José Rizal and the Insurgent Movement of 1896; (2) Aguinaldo; (3) The Insurgent Government of 1898; (4) Our Relations with the Insurgents prior to the Fall of Manila, 1898; (5) Aguinaldo and the American Generals; (6) Iloilo; (7) Outbreak of Hostilities, February 1899; (8) Efforts for an Armistice, April and July 1899; (9) Efforts at Recognition; (10) Present Condition.

Messrs. G. E. Littlefield and Co. (Boston) announce *The Westbrook Papers*, letters of Colonel Thomas Westbrook and others, relative to Indian affairs in Maine from 1722 to 1726, edited by Mr. W. Blake Trask.

A History of Sanford, Maine, 1661-1900, by Edwin Emery, has been edited and published by his son, Mr. W. Morrell Emery (Fall River, Mass.).

Messrs. Houghton, Mifflin and Co. have published, under the title *Jonathan Edwards: A Retrospect*, the addresses delivered at the memorial service in Northampton, upon the one hundred and fiftieth anniversary of the dismissal of Edwards from the pastorate of the First Church of that town. The volume is edited by Professor H. Norman Gardiner of Smith College, and contains historical papers by Dr. A. V. G. Allen, Dr. Egbert C. Smyth, and others.

Faneuil Hall and Faneuil Hall Market, by Mr. Abram English Brown (Boston, Lee and Shepard), includes a biography of Peter Faneuil and his sister, as well as the history of the famous building itself.

The twenty-ninth report on the Boston Records, entitled simply *A Volume of Records*, etc., and prepared by the Registry Department in the place of the late Record Commissioners, contains miscellaneous papers relating to the great fire of 1700, lists of freemen, port arrivals, immigrants, etc.

Mr. Henry S. Nourse, of Lancaster, Mass., has published two pamphlets, of use for local history, *A Supplement to the Early Records and Military Annals of Lancaster*, and *A Bibliography of Lancastriana*.

The *Early Records of the Town of Portsmouth* have been published by the state of Rhode Island in a well-printed volume of 462 pages, edited by Mr. Clarence S. Brigham, Librarian of the Rhode Island Historical Society. The volume includes the text of the first book of records of the town council, extending from 1639 to 1697, and also many deeds, wills, inventories, powers of attorney, inquests, etc., some later in date than 1697. There are indexes of names and of subjects.

Messrs. Preston and Rounds (Providence, R. I.) have in press *The Dorr War; or the Constitutional Struggle in Rhode Island*, by the late Arthur M. Mowry, with an introduction by Professor Albert Bushnell Hart. Mr. Mowry may be remembered by our readers as the author of an article on "Tammany Hall and the Dorr War," in our third volume.

The New York State Library has issued as Nos. 23 and 24 of its bibliographies, a *Reference List on Connecticut Local History*, compiled by Mr. Charles A. Flagg, and a *Bibliography of New York Colonial History*, by Mr. Flagg and Mr. Judson T. Jennings. It is expected that a list showing what is available on Maine local history in both the New York State and Bowdoin College libraries will be ready in June.

For several issues past, the *Bulletin of the New York Public Library* has devoted much space to bibliographies of the city, in various aspects—its history, its churches, its water-supply, fire department, streets, almanacs, directories, libraries, schools, etc.

In the July number of the *Pennsylvania Magazine of History* the most interesting new matter is a series of notes of travel through the colony in 1772, from the north branch of the Susquehanna to the Beaver River, kept by Rev. John Ettwein, and now derived from his manuscript in the Moravian archives at Bethlehem. The Moravian Indian town of Wyalusing being abandoned in June of the year named, Ettwein conducted a division of the inhabitants thence to Friedenstadt, meantime keeping this record.

The second volume of Dr. Julius Sachse's *The German Sectarians of Pennsylvania* has recently appeared. This volume covers the period from 1742 to 1800, and may fairly be said to complete the collection of the

historical material relating to the Ephrata Cloister and the Dunkers. The legends and the philosophy of the sect are analyzed, and many facsimiles of manuscripts are given.

In the April number of the *Virginia Magazine of History and Biography* we find, beside continued articles, the beginning of a systematic list of Virginia newspapers to be found in various public libraries. A beginning is here made with the library of Congress; the collections of the Virginia Historical Society, the Virginia State Library, etc., will follow.

The Virginia Historical Society has performed a highly useful service in issuing, in a pamphlet of 120 pages, a detailed *Catalogue of the Manuscripts in the Collection* of the society. It were to be wished that more societies would do this. We understand that it is the intention of the Tennessee Historical Society to do so.

Mr. W. P. Willey has written *An Inside View of the Formation of the State of West Virginia* (Wheeling, News Publishing Co.), with character-sketches of the pioneers in that movement.

Dr. William E. Dodd, professor of history in Randolph-Macon College, has been enabled by the liberality of a citizen of Richmond to begin the issue, on behalf of that college, of a series called by the benefactor's name, *The John P. Branch Historical Papers of Randolph-Macon College*, intended as an annual publication, to include a prize essay (this year on the famous Rev. Devereux Jarratt), and a variety of original historical documents. In this first issue Dr. Dodd has reprinted, from pamphlets now out of print, a number of letters of Col. Leven Powell and Rev. David Griffith, relating to the Revolutionary war and the election of 1800 in Virginia, the latter treated from the Federalist point of view.

No. 2 of the "James Sprunt Historical Monographs," published by the University of North Carolina, is devoted to Nathaniel Macon. First is printed a conscientious and sensible analysis of Macon's Congressional career, by Mr. Edwin Mood Wilson. This is followed by an interesting and characteristic series of his letters, edited with full notes by Professor Kemp P. Battle. There are twenty-three of them, ranging in date from 1796 to 1828. A letter written in 1826 by Willie P. Mangum is added. The pamphlet (pp. 116), though open to some criticism in respect to arrangement, is a contribution of distinct value to political history.

In a poem of some length entitled *The White Doe* (Philadelphia, Lippincott), Mrs. Sallie Southall Cotten, of North Carolina, has embodied all the historical facts and traditional lore connected with the birth of Virginia Dare and the disappearance and supposed survival of Sir Walter Raleigh's lost colony.

Mr. William Garrott Brown, of the Library of Harvard University, has written a small history of the state of Alabama in the series of state histories now in course of publication by the University Publishing Company.

Mr. Charles A. Hanna (New York) has printed privately a volume entitled *Historical Collections of Harrison County, Ohio*. The book treats at length of the leading elements of the population—Scotch-Irish, Quakers, "Pennsylvania Dutch," Virginians and New-Englanders,—and also contains, as Part II., an alphabetized collection of land patents, early marriage records, graveyard records, and abstracts of wills from 1813 to 1860. Part III. is a compilation of genealogies.

Number XVI. of the Filson Club Publications (Louisville, John P. Morton and Co.) is *Boonesborough: Its Founding, Pioneer Struggles, Indian Experiences, Transylvanian Days, and Revolutionary Annals*, by Mr. George W. Ranck, who has given much time to the history of Kentucky.

An interesting contribution to Texan history is *The Evolution of a State*, compiled from the reminiscences of Mr. Noah Smithwick, who came to Texas in the early '20s, by Mrs. Nanna Smithwick Donaldson (Austin, Texas, Gammel Book Co.).

The April *Quarterly* of the Texas State Historical Association is entirely given up to a careful and excellent monograph on the San Jacinto Campaign, by Professor Eugene C. Barker, the fruit of much critical study, and accompanied by some interesting documents not before published, or not before printed in English.

Father Chrysostomus Verwyst has written an account of the *Life and Labors of Rt. Rev. Frederic Baraga, First Bishop of Marquette, Michigan* (Milwaukee, M. H. Wiltzius and Co.). The volume also contains sketches of other Indian missionaries in the Northwest.

On Memorial Day, in Sioux City, a monument was dedicated in honor of Sergeant Charles Floyd, a member of the Lewis and Clark expedition, who was buried near that spot on August 20, 1804. An inscription states that the shaft was erected by the Floyd Memorial Association, assisted by the United States and by the state of Iowa.

The Early Empire Builders of the Great West, by Moses K. Armstrong (St. Paul, Minn., E. W. Porter), is compiled, with additions, from the author's *Early History of Dakota Territory* (1866), and is a record of pioneer experiences nearly half a century ago.

In December the *Quarterly* of the Oregon Historical Society printed an elaborately illustrated account of the Oregon Trail, by Professor F. G. Young of Eugene; in the March number the principal article is one on the political history of Oregon from 1853 to 1865, by Hon. George H. Williams.

Dr. William A. Mowry, who has spent a long time in conscientious research into his subject, has just published a volume entitled *Marcus Whitman and the Early Days of Oregon* (Boston, Silver, Burdett and Co.), in which he aims, without ignoring or being uncritical of the documentary evidence, to uphold a quite different view of the story of Whitman from that which Professor Bourne set forth in earlier pages of this volume.

University of Toronto Studies, History, First Series, Vol. 5, is the Review of Historical Publications relating to Canada for the Year 1900, edited by Professor George M. Wrong and Mr. H. H. Langton (pp. 226). It is composed upon the same plan as its predecessors, but has, beside its reviews of books and articles, an extended biographical notice of the late Sir Daniel Wilson, with a list of his publications.

The Story of the Dominion, by J. Castell Hopkins (Philadelphia, J. C. Winston Co.), is a history of Canada from its early discovery and settlement to the present time.

Early Trading Companies of New France: A Contribution to the History of Commerce and Discovery in North America, by Mr. H. P. Biggar, author of the article on Lescarbot printed in our present issue, has appeared. The monograph contains an extensive appendix of sources. Copies may be obtained of the Librarian, University of Toronto, Canada.

Noteworthy articles in periodicals: E. P. Turner, *Colonial Agencies in England* (Political Science Quarterly, March); Woodrow Wilson, *Colonies and Nation* (Harper's Magazine, April-July); C. J. Bullock, *Direct Taxes and the Federal Constitution*, II. (Yale Review, May); B. J. Clinch, *The Formation of the Filipino People* (Yale Review, May); Grover Cleveland, *The Venezuela Boundary Controversy* (Century Magazine, June, July).